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| 10 | UNITED STATES DISTRICT COURT | |
| 11 | EASTERN DISTRICT OF CALIFORNIA | |
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| 13 | MELVIN JOSEPH SIMMONS, | Case No. 1:19-cv-01107-DAD-SAB (PC) |
| 14 | Plaintiff, | ORDER DENYING PLAINTIFF'S MOTION TO CEASE AND DESIST USING "JR" AS |
| 15 | v. | PART OF HIS NAME AS MOOT |
| 16 | J. WUERTH, et al., | (ECF No. 10) |
| 17 | Defendants. | |
| 18 | | |
| 19 | Plaintiff Melvin Joseph Simmons is a state prisoner proceeding pro se in this civil rights | |
| 20 | action pursuant to 42 U.S.C. § 1983. | |
| 21 | Currently before the Court is Plaintiff's motion to have the Clerk of the Court cease and | |
| 22 | desist using "Jr." as a part of his name, filed on August 28, 2019. (ECF No. 10.) It appears that | |
| 23 | when this action was filed in the Sacramento Division, the case name was titled Melvin Joseph | |
| 24 | Simmons, Jr. v. J. Wuerth. See Prisoner New Case Documents, ECF No. 2; and Order | |
| 25 | Transferring Action, ECF No. 5. | |
| 26 | Prior to the matter being transferred to the Fresno Division of the Eastern District, | |
| 27 | Plaintiff filed a motion to cease and desist using "Jr." as part of his name. ECF No. 4. The | |
| 28 | Court's docket now reflects that Plaintiff's name is "Melvin Joseph Simmons" and the case has | |

been titled Melvin Joseph Simmons v. J. Wuerth, et al. Accordingly, Plaintiff's motion, (ECF No. 10), is HEREBY DENIED AS MOOT. The Office of the Clerk is DIRECTED to remove "also known as Melvin Joseph Simmons, Jr." from the docket in this matter. IT IS SO ORDERED. Dated: September 5, 2019 UNITED STATES MAGISTRATE JUDGE