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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JANE DOE,

Plaintiff,

v.

CITY OF SACRAMENTO, SERGIO
ALVAREZ, DAN DRUMMOND, and
DOES 1 through 25,

Defendants.

Case No.: 2:13-CV-02276-WBS-AC

ORDER


The court has read and considered plaintiff’s ex parte application for leave to proceed under the pseudonym “Jane Doe.” As plaintiff recognizes, Rule 10(a) of the Federal Rules of Civil Procedure requires that a plaintiff disclose his or her name in the instrument filed to commence a lawsuit. Plaintiff asks the court to make an exception here based on the five factor test set forth by the Ninth Circuit in Doe v. Kamehameha Schools, 596 F.3d 1036, 1042 (9th Cir. 2010). Applying that test, the court does not find that the likelihood or severity of the threatened harm outweigh the interest of the public, and indeed the court, in knowing the identity of those

1 persons using the federal courts to bring actions against others.

2 The Complaint does not allege that plaintiff is a minor. Plaintiff avers that she
3 resides in the City of West Sacramento where the alleged assault occurred and was perpetrated by
4 a police officer. However, she states that defendants are already aware of her true name because
5 they have performed investigations for the criminal matter, plaintiff has testified before the grand
6 jury, plaintiff has provided a statement for the Internal Affairs investigation, and plaintiff has filed
7 a government tort claim using her true name. Thus, the court can discern little if any harm that
8 plaintiff could reasonably be expected to suffer from bringing this action in her true name. On the
9 other hand, the public has a legitimate interest in knowing the identity of those bringing actions
10 against municipal governments in this district.¹

11 IT IS THEREFORE ORDERED that plaintiff's ex parte application for leave to
12 proceed under the pseudonym "Jane Doe" be, and the same hereby is, DENIED. Plaintiff shall
13 file a new complaint setting forth her true name in the caption.

14 Dated: November 19, 2013

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16 **WILLIAM B. SHUBB**
17 **UNITED STATES DISTRICT JUDGE**

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26 ¹ The court also has an interest in knowing the names of the parties, if for no
27 other reason than to know whether the assigned judge knows the plaintiff or may
28 have some basis for recusal.