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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN HOSEA HARDIN,
Plaintiff,
v.
REGINALD GOWAN,
Defendant.

No. 2:14-cv-1796-EFB P

ORDER

Plaintiff is a state prisoner proceeding in forma pauperis and without counsel in an action brought under 42 U.S.C. § 1983. Reginald Gowans, the sole defendant in this action, died on or around November 3, 2015. ECF No. 36. Plaintiff moves to substitute Daphne Benson Gowans, the executor of defendant Gowans’s estate, as defendant pursuant to Rule 25 of the Federal Rules of Civil Procedure. ECF Nos. 38, 40, 43. Ms. Gowans, proceeding through counsel, has filed a notice of non-opposition to plaintiff’s motion. ECF No. 48.

Good cause appearing, IT IS HEREBY ORDERED that plaintiff’s motion to substitute Daphne Benson Gowans, the executor of defendant Reginald Gowans’s estate (“Estate”) for deceased defendant Gowans (ECF No. 40) is granted and the Clerk of the Court shall amend the docket accordingly. In accordance with Rule 12 of the Federal Rules of Civil Procedure, the Estate shall file an answer or other responsive pleading within 21 days.

DATED: February 23, 2017.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE