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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Estate of JOSEPH DURAN, deceased, by
and through STEVEN A. DURAN and
ELAINE DURAN as Successors in
Interest; STEVEN DURAN, Individually;
and ELAINE DURAN, Individually,

No. 2:14-cv-02048-TLN-CKD

ORDER

Plaintiffs,

v.

CDCR Correctional Officer ROY C.
CHAVEZ; CDCR Correctional Officer
TIMOTHY NELSON; CDCR Correctional
Officer JASON R. STRONGMAN; CDCR
Correctional Sergeant MARK SHEPARD;
CDCR Correctional Sergeant JUAN C.
CARRILLO; CDCR Correctional
Lieutenant BRYAN D. McCLOUGHAN;
CDCR Licensed Vocational Nurse
MICHAEL; CDCR Clinical Psychologist
RICHARD E. ORTIGO, Psy. D.; CDCR
Staff Psychiatrist KARUNA ANAND,
M.D.; CDCR Physician and Surgeon
JANET YU, M.D.; Mule Creek State
Prison Chief Medical Executive SCOTT A.
HEATLEY, M.D.; Mule Creek State
Prison Chief Executive Officer (Medical)
DAVID SMILEY; Mule Creek State Prison
Warden and Chief Executive Officer
WILLIAM W. KNIPP; Amador County
Sheriff-Coroner MARTIN A. RYAN;
CASA BONITA, INC.; and Does 1
through 20,

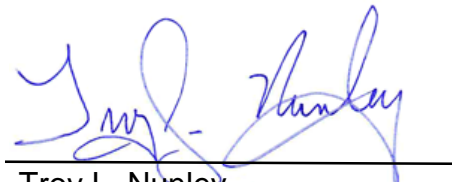
Defendants.

1 On February 29, 2016, counsel for Defendant Roy C. Chavez filed a notice of Mr.
2 Chavez's death pursuant to Federal Rule of Civil Procedure 25(a)(1). (ECF Nos. 35, 46).¹ The
3 notice included a certified copy of Mr. Chavez's death certificate. (ECF No. 35-1.) On April 1,
4 2016, Plaintiffs filed a motion to substitute Mr. Henry Chavez, Special Administrator for the
5 Estate of Defendant Chavez for Defendant Roy C. Chavez. (ECF No. 54.) Plaintiffs supported
6 their motion with documentation from the Sacramento County Superior Court designating Mr.
7 Henry Chavez as the Special Administrator of Decedent's Estate. (ECF No. 54.) Defense
8 counsel has not opposed this motion.

9 Pursuant to Federal Rule of Civil Procedure 25(a)(1), the Court hereby GRANTS
10 Plaintiffs' request and hereby orders the substitution of Mr. Henry Chavez, as Special
11 Administrator of Roy C. Chavez's Estate, as the named defendant in the instant action.

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13 IT IS ORDERED.

14 Dated: May 18, 2016

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17 Troy L. Nunley
18 United States District Judge
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28 ¹ Defense counsel filed notice on January 5, 2016 (ECF No. 35), but did not file proof of service of the notice, as required under Federal Rule of Civil Procedure 25(a)(1), until February 29, 2016 (ECF No. 46).