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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 PEPI SCHAFLER, MSS JD,

No. C 11-3175 SI

9 Plaintiff/Petitioner,

**ORDER GRANTING PLAINTIFF'S
MOTION TO CORRECT THE DOCKET**

10 v.

11 RANDALL NEWSOME *et al.*,

12 Defendants/Respondents.
13 _____/

14 “Plaintiff-Petitioner” Pepi Schafner has filed a motion to correct the caption in this case. This
15 action was originally opened as a miscellaneous case, C 10-80137 MISC VRW. After Judge Walker
16 retired, the miscellaneous case was reassigned to Chief Judge Ware. Because Ms. Schafner is subject
17 to a pre-filing order, Judge Ware referred the case to Judge Hamilton for determination of whether this
18 case was barred by the pre-filing order; Judge Hamilton determined that it was not. Accordingly, in an
19 order filed June 24, 2011, Judge Ware directed the Clerk to close the miscellaneous action, and to open
20 a new civil action. This new civil action, C 11-3175 SI, was assigned to this Court.

21 Ms. Schafner has filed a motion seeking to correct a clerical error in the caption. When this civil
22 action was opened, the Clerk mistakenly listed the wrong defendant, HSBC Bank USA. Ms. Schafner
23 states that this case is a petition for habeas corpus, and that the correct defendants are Chief Judge
24 Randall Newsome of the United States Bankruptcy Court for the Northern District of California, and
25 “two corrupt, deceptive officers of the court,” Richard J. Spear and Dennis D. Davis. Motion at 1-2.

26 Accordingly, the Court GRANTS plaintiff’s motion and directs the Clerk to correct the caption
27 in this case. The Clerk shall delete HSBC Bank USA as a defendant, and list Judge Newsome, Richard
28 J. Spear and Dennis D. Davis as defendants. The Court informs plaintiff that she is responsible for

1 serving these defendants with the petition/complaint. Plaintiff must serve these defendants with a copy
2 of the petition/complaint and the summons within 120 days of the filing of the petition. *See* Federal
3 Rule of Civil Procedure 4(c),(m). This case was opened on June 27, 2011, and thus defendants must
4 served no later than **October 25, 2011**, or the case will be dismissed without prejudice. Fed. R. Civ.
5 P. 4(m).

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7 **IT IS SO ORDERED.**

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9 Dated: August 19, 2011



SUSAN ILLSTON
United States District Judge