

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

KARRI DALTON, *as personal  
representative of THE ESTATE OF  
NIKKI BASCOM, deceased, and next  
friend to A.C., a minor child, and  
Matthew Bascom,*

Plaintiffs,

v.

Civ. No. 17-1143 WJ/GBW

TOWN OF SILVER CITY, *et al.,*

Defendants.

**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION  
TO AMEND CASE CAPTION**

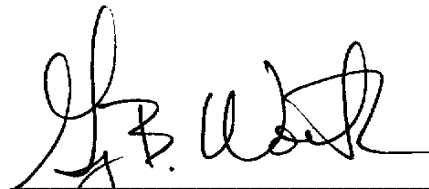
THIS MATTER comes before the Court on Plaintiff's Unopposed Motion to Amend Case Caption ("the Motion"). *Doc. 228.* As grounds for the Motion, Plaintiff states that Matthew Bascom, who was a minor at the time the Complaint was filed, has reached 18 years of age and desires to proceed as a named Plaintiff for the settlement of the case. *See id.* at ¶¶ 3-7. Accordingly, Plaintiff request the Court to replace "Karri Dalton as Next Friend to M.B." in the caption with "Matthew Bascom." *Id.* at 2.

Having reviewed Plaintiff's Motion, noting Defendants' lack of opposition, and being fully advised, the Court will GRANT the Motion. The parties agree that Matthew Bascom has reached the age of maturity. *See id.* at ¶¶ 5, 7. When a minor plaintiff reaches the age of majority, it is appropriate for the Court to order substitution of the

formerly-minor plaintiff's name for that of a next friend and add the formerly-minor plaintiff as a plaintiff in the case. *See, e.g., Heard v. Thomas*, No. 2:20-cv-2335-MSN-cgc, 2022 WL 1431083, at \*2 (W.D. Tenn. May 5, 2022); *Walker v. Evans*, No. 10-12596, 2011 WL 3583248, at \*1 (E.D. Mich. Aug. 15, 2011); *Theno v. Tonganoxie Unified Sch. Dist.* No. 464, 377 F. Supp. 2d 952, 952 n.1 (D. Kan. 2005).

IT IS HEREBY ORDERED that Plaintiff's Unopposed Motion to Amend Case Caption (*doc.* 228) is GRANTED. The Clerk is DIRECTED to remove Karri Dalton as Next Friend to M.B. as a party (while retaining Karri Dalton as Next Friend to A.C.) and substitute Matthew Bascom in her place. All future filings shall reflect this change.

**IT IS SO ORDERED.**



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GREGORY B. WORMUTH  
UNITED STATES MAGISTRATE JUDGE