

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

E.P., et al. v. County of Kern, et al.

No. 1:25-cv-01260-JLT-CDB (E.D. Cal. Oct. 23, 2025) · No. 1:25-cv-01260-JLT-CDB · Decided October 23, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Plaintiffs’ motions to appoint Rolando Rivera as guardian ad litem for minor Plaintiff E.P. and to permit E.P. to proceed under a pseudonym. The court determined that no guardian ad litem was necessary for decedent minor A.P. because his successor in interest was prosecuting the survivable claims, and it vacated the scheduled motion hearing.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 23, 2025
DOCKET	1:25-cv-01260-JLT-CDB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for appointment of a guardian ad litem for minor Plaintiff E.P. and decedent minor Plaintiff A.P., and for E.P. to proceed under a pseudonym. The district court resolved the motions before Defendants appeared or filed a responsive pleading.
STANDARD OF REVIEW	Appointment of a guardian ad litem is ordinarily committed to the sound discretion of the trial court. A request to proceed under a pseudonym requires balancing the need for anonymity against the presumption that party identities are public and the risk of unfairness to the opposing party.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- guardian ad litem
- guardianship procedure
- section 1983
- civil rights
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Rolando Rivera should be recognized as E.P.'s state-law representative and appointed guardian ad litem under Federal Rule of Civil Procedure 17(c) and Eastern District of California Local Rule 202.
2. Whether appointment of a guardian ad litem was necessary for decedent minor A.P. when Alejandro Perez Ramos, Sr. proceeded as successor in interest to A.P.'s claims.
3. Whether minor Plaintiff E.P. should be permitted to proceed under a pseudonym because the sensitive circumstances and demonstrated risk of harm outweighed the presumption of public identification.

HOLDINGS

1. The Court recognized Rolando Rivera as E.P.'s state-law representative and appointed him guardian ad litem because Plaintiffs provided appropriate evidence of his guardianship and showed that he could protect E.P.'s interests without an impermissible conflict.
2. A guardian ad litem was not necessary for A.P. because Alejandro Perez Ramos, Sr. proceeded as successor in interest to A.P.'s survival claims.
3. E.P. was permitted to proceed under the pseudonym E.P., and the parties and counsel were prohibited from disclosing her true name except by court order or as necessary for the litigation.

KEY QUOTATIONS

“The appointment of the guardian ad litem is more than a mere formality.” (at 4)

“A guardian ad litem is authorized to act on behalf of his ward and may make all appropriate decisions in the course of specific litigation.” (at 4)

“A party requesting to proceed pseudonymously has the burden of showing that their “need for anonymity outweighs prejudice to the opposing party and the public’s interest in knowing the party’s identity.”” (at 6)

FACTUAL BACKGROUND

The action concerns alleged injuries to minor E.P. and the wrongful death of her minor brother A.P. while the children were in the care, custody, control, or supervision of Defendants. E.P. was born in 2022, and a Kern County court appointed her grandparents, Amalia Ramos and Rolando Rivera, as her guardians. Plaintiffs represented that Rivera had no conflict with E.P., was responsible for her care, and was willing and able to direct the litigation in her best interests. Plaintiffs also represented that E.P. faced risks of harassment, retraumatization, and invasion of privacy because the action involved extreme violence and the death of her toddler brother while in protective custody.

PROCEDURAL HISTORY

Plaintiffs filed a § 1983 action on September 23, 2025, alleging injuries to E.P. and the wrongful death of A.P. arising from Defendants' conduct while the children were in protective custody. At the Court's direction, Plaintiffs filed motions on October 13, 2025. The Court deemed opposition unnecessary, vacated the scheduled

hearing, recognized Rolando Rivera as E.P.'s state-law representative, appointed him guardian ad litem, denied the need for a guardian ad litem for A.P., and permitted E.P. to proceed under a pseudonym.

DISPOSITION

other

CASES CITED

- United States v. 30.64 Acres of Land, More or Less, Situated in Klickitat Cty., State of Wash., 795 F.2d 796, 804-05 (9th Cir. 1986)
- AT&T Mobility, LLC v. Yeager, 143 F. Supp. 3d 1042, 1054 (E.D. Cal. 2015)
- Whitmore v. Arkansas, 495 U.S. 149, 163-64 (1990)
- Troxel v. Granville, 530 U.S. 57, 66 (2000)
- Molesky for J.M. v. Carillo, No. 1:22-cv-1567-ADA-CDB, 2022 WL 17584396, at *1 (E.D. Cal. Dec. 12, 2022)
- Williams v. Superior Court of San Diego, 147 Cal. App. 4th 36, 50 (2007)
- Tatum v. City and County of San Francisco, 441 F.3d 1090, 1093-94 n.2 (9th Cir. 2006)
- Doe v. Kamehameha Schools, 596 F.3d 1036, 1042 (9th Cir. 2010)
- Does I thru XXIII v. Advanced Textile Corp., 214 F.3d 1058, 1067-69 (9th Cir. 2000)
- United States v. Doe, 655 F.2d 920, 922 n.1 (9th Cir. 1981)
- Doe by and through Doe v. Mariposa County Unified School District, No. 1:24-cv-01033-BAM, 2024 WL 4133214, at *1 (E.D. Cal. Sept. 10, 2024)