

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Marisol Almeyda, Tony Scott, and C.A. v. County of Kern, et al.

Almeyda · No. 1:26-cv-00250-JLT-CDB · Decided January 14, 2026

SUMMARY

The United States District Court for the Eastern District of California ordered Plaintiffs to file either a motion for appointment of a guardian ad litem for minor Plaintiff C.A. or evidence of a state-law appointment. The Court also ordered Plaintiffs to file either a motion for C.A. to proceed under a pseudonym or a report explaining why such a motion is unnecessary, with a 14-day deadline.

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	January 14, 2026
DOCKET	1:26-cv-00250-JLT-CDB
DISPOSITION	other
PROCEDURAL POSTURE	After Plaintiffs filed a civil-rights complaint alleging claims on behalf of minor Plaintiff C.A. through her mother and purported guardian ad litem, the district court issued a sua sponte order directing Plaintiffs to address C.A.'s representation and use of a pseudonym.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

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

PRACTICE AREAS

- civil procedure
- civil rights
- guardianships

QUESTIONS PRESENTED

- Whether Plaintiffs were required to provide evidence of a representative's appointment under state law, move for appointment of a guardian ad litem, or demonstrate that appointment was unnecessary before proceeding with claims on behalf of minor Plaintiff C.A.

2. Whether Plaintiffs were required to move for C.A. to proceed under a pseudonym or explain why such a motion was unnecessary.

HOLDINGS

1. Because C.A. is a minor, Plaintiffs must provide evidence of a state-law appointment of a representative, file a motion for appointment of a guardian ad litem, or make a showing that appointment is unnecessary to ensure adequate representation.
2. Plaintiffs must either move for C.A. to proceed under a pseudonym or file a report explaining why such a motion is unnecessary.

KEY QUOTATIONS

“Pursuant to Eastern District of California Local Rule 202, Upon commencement of an action or upon initial appearance in defense of an action by or on behalf of a minor or incompetent person, the attorney representing the minor or incompetent person shall present (1) appropriate evidence of the appointment of a representative for the minor or incompetent person under state law or (2) a motion for the appointment of a guardian ad litem by the Court, or, (3) a showing satisfactory to the Court that no such appointment is necessary to ensure adequate representation.” (at 1)

“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 2)

FACTUAL BACKGROUND

Marisol Almeyda, Tony Scott, and minor C.A. sued the County of Kern and several individual defendants. The complaint identified Almeyda as C.A.’s mother and purported guardian ad litem, but did not include evidence of a state-law appointment or a motion seeking appointment by the court. The complaint also identified C.A. as a minor without requesting permission for her to proceed under a pseudonym.

PROCEDURAL HISTORY

Plaintiffs filed the complaint on January 12, 2026. The court determined that Plaintiffs had not submitted evidence of a state-law representative appointment or a motion for appointment of a guardian ad litem for C.A., and had not sought authorization for C.A. to proceed under a pseudonym. The court ordered Plaintiffs, within 14 days, to file the required motion or supporting report/evidence for each issue.

DISPOSITION

other

CASES CITED

- 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)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 MARISOL ALMEYDA, et al., Case No. 1:26-cv-00250-JLT-CDB 12
Plaintiffs, ORDER DIRECTING PLAINTIFFS TO FILE MOTIONS FOR APPOINTMENT OF
GUARDIAN 13 v. AD LITEM FOR C.A. OR A REPORT WHY SUCH MOTION IS NOT
NECESSARY 14 COUNTY OF KERN, et al., ORDER DIRECTING PLAINTIFFS TO FILE 15
Defendants.

MOTION TO PROCEED UNDER PSEUDONYM FOR C.A. OR A REPORT WHY SUCH
MOTION 16 IS NOT NECESSARY 17 (Doc. 1) 18 14-DAY DEADLINE 19 20 Plaintiffs Marisol
Almeyda, Tony Scott, and C.A., by and through her purported guardian ad 21 litem Marisol
Almeyda (collectively, “Plaintiffs”) initiated this action with the filing of a complaint 22 against
Defendants County of Kern (“County”), Logan Bebee, Nathan Lloyd, Daniel Pietrangelo, Ryan 23
Smith, Erik Hallmark, Joanne Teel, Jackie Maxwell, Sabrina Neubauer, and Nicole Pockerandt 24
(collectively, “Defendants”) on January 12, 2026.

(Doc. 1). 25 Order Directing Plaintiffs to File a Motion for Appointment of Guardian Ad Litem 26
The complaint alleges that Plaintiff C.A., a minor child, proceeds in this action by and through 27
her mother and purported guardian ad litem, Plaintiff Marisol Almeyda. (Doc. 1 at 1-2); see id. ¶¶
5, 7, 28 58. 1 Pursuant to Eastern District of California Local Rule 202, 2 Upon commencement of
an action or upon initial appearance in defense of an action by or on behalf of a minor or
incompetent person, the attorney 3 representing the minor or incompetent person shall present (1)
appropriate evidence of the appointment of a representative for the minor or 4 incompetent person
under state law or (2) a motion for the appointment of 5 a guardian ad litem by the Court, or, (3) a
showing satisfactory to the Court that no such appointment is necessary to ensure adequate
representation of 6 the minor or incompetent person.

7 Local Rule 202(a) (citing Fed. R. Civ. P. 17(c)). Because the claims of minor Plaintiff C.A. may
only 8 be brought “by a next friend or guardian ad litem,” a guardian must be appointed by the
Court to protect 9 the interests of the minor Plaintiff. See Fed. R. Civ. P. 17(c)(2).

Although the complaint refers to 10 Marisol Almeyda as the mother and purported guardian ad
litem for C.A., as of the date of entry of this 11 order, Plaintiffs have presented neither
“appropriate evidence of the appointment of a representative for 12 [the] minor or incompetent
person under state law” or a motion in this Court for the appointment of a 13 guardian ad litem for
minor Plaintiff C.A.

14 Accordingly, as set forth below, the Court will order Plaintiffs to file either (1) evidence of the
15 appointment of a guardian ad litem for minor Plaintiff C.A., or (2) a motion for the
appointment of a 16 guardian ad litem for minor Plaintiff C.A. consistent with Federal Rule of
Civil Procedure 17 and Local 17 Rule 202. 18 Order Directing Plaintiffs to File a Motion to

Proceed Under Pseudonym 19 As noted above, the complaint identifies Plaintiff C.A. as a “minor” that resides in the County 20 of Kern.

(Doc. 1 at 2); see id. ¶¶ 7, 58. 21 The default rule is that parties to an action in federal district court must identify themselves by 22 their true names. However, “many federal courts, including the Ninth Circuit, have permitted parties to 23 proceed anonymously when special circumstances justify secrecy.” *Does I thru XXIII v. Advanced 24 Textile Corp.*, 214 F.3d 1058, 1067 (9th Cir.

2000). “In this circuit...parties [may] use pseudonyms in 25 the ‘unusual case’ when nondisclosure of the party’s identity ‘is necessary...to protect a person from 26 harassment, injury, ridicule or personal embarrassment.’” Id. at 1067-68 (quoting *United States v. Doe*, 27 655 F.2d 920, 922 n.1 (9th Cir. 1981)). “[A] district court must balance the need for anonymity against 28 1 || the general presumption that parties’ identities are public information and the risk of unfairness to tl 2 || opposing party.” Id. at 1068.

3 The Ninth Circuit has identified three situations in which parties have been allowed to □□□□ 4 || under pseudonyms: “(1) when the identification creates a risk of retaliatory physical or mental harm; (5 || when anonymity is necessary to preserve privacy in a matter of sensitive and highly personal nature 6 || and (3) when the anonymous party is compelled to admit [his or her] intention to engage in illeg 7 || conduct, thereby risking criminal prosecution...” /d. (citations and internal quotations marks omitted 8 || A party requesting to proceed pseudonymously has the burden of showing that their “need for anonymi 9 || outweighs prejudice to the opposing party and the public’s interest in knowing the party’s identity.” / 10 || at 1068-69.

11 As Plaintiffs have not sought relief of Court for minor Plaintiff C.A. to proceed in this action 12 || under pseudonym, the Court finds it appropriate to direct Plaintiffs to either file a motion for Plainti 13 || C.A. to proceed pseudonymously in this action or a report indicating why a motion for C.A. to □□□□□□ 14 || pseudonymously is unnecessary. 15 Conclusion and Order 16 Accordingly, IT IS HEREBY ORDERED that, within 14 days of entry of this order: 17 1.

Plaintiffs shall file either (a) a motion for the appointment of a guardian ad litem for min 18 Plaintiff C.A. consistent with Federal Rule of Civil Procedure 17 and Local Rule 202, or (| 19 appropriate evidence of the appointment of a representative for minor Plaintiff C.A. consiste 20 with state law; and 21 2. Plaintiffs shall file either (a) a motion for minor Plaintiff C.A. to proceed pseudonymously 22 this action, or (b) a report demonstrating that such motion is not necessary.

23 || IT IS SO ORDERED. 24 anrD Rr Dated: _ January 14, 2026 25 UNITED STATES MAGISTRATE JUDGE 26 27 28