

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

ALBERT HERNANDEZ,  
ADC #65214

PLAINTIFF

v.

5:09-cv-00328-JLH-JTK

RAYMOND MOLDEN, et al.

DEFENDANTS

**ORDER**

This matter is before the Court on Plaintiff's Motions to Consolidate (Doc. No. 131) and to Amend (Doc. Nos. 132, 135).

In his Motion to Consolidate, Plaintiff asks to consolidate this case with another pending lawsuit, Hernandez v. Correctional Medical Services, Inc., 5:10cv00241BSM, based on the similarity of the allegations. The Court will deny Plaintiff's Motion, because presently pending in that case is a Recommendation that the case be dismissed.

In his Motions to Amend, Plaintiff asks to add claims which occurred in August, 2010 and September, 2010. The claims at issue in this case occurred as early as May, 2009. Plaintiff also asks to add a claim against Wendy Kelley, who previously was dismissed from this case. The Court will deny all attempts to add claims and parties which are not related to the original claims asserted in this case. In addition, the Court will direct the Clerk to refrain from filing any future motions to amend in this case, as since the filing of this case, Plaintiff has filed at least five other motions to amend, all but one of which have been denied.<sup>1</sup> Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Consolidate (Doc. No. 131) is hereby DENIED.

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<sup>1</sup>Doc. Nos. 55 and 60 were denied March 8, 2010. Doc. No. 77 was denied April 13, 2010. Doc. No. 97 was denied May 21, 2010. Doc. No. 125, which moved to amend his request for relief, was granted September 23, 2010.

IT IS FURTHER ORDERED that Plaintiff's Motions To Amend (Doc. Nos. 132, 135) are hereby DENIED.

The Clerk of the Court is hereby directed to refrain from filing any future Motions to Amend in this action.

IT IS SO ORDERED this 20<sup>th</sup> day of October, 2010.



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JEROME T. KEARNEY  
UNITED STATES MAGISTRATE JUDGE