

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

BRIAN L. BROWN,)	No. ED CV 13-01497-AHS (VBK)
)	ED CV 13-02136-AHS (VBK)
Plaintiff,)	
)	ORDER TO SHOW CAUSE WHY ACTION
v.)	ED CV 13-02136-AHS (VBK) SHOULD
)	NOT BE DISMISSED OR CONSOLIDATED
LINDA T. MCGREW, et al.,)	WITH ED CV 13-01497-AHS (VBK)
)	
Defendants.)	
)	

On October 24, 2013, pro se Plaintiff Brian L. Brown (hereinafter referred to as "Plaintiff") filed a civil rights Complaint pursuant to Bivens v. Six Unknown Agents, 403 U.S. 388 (1971) pursuant to the Court's Order re Leave to File Action Without Prepayment of Full Filing Fees, which was given Case No. ED CV 13-01497-AHS (VBK). Plaintiff names as Defendants Warden Linda T. McGrew; Mr. Luniz; Ms. Boyd; Mr. Prieto; Mr. Cintoran; Mr. Halstead and Dr. Squetini. Plaintiff alleges that Defendants violated his rights on July 15, 2013 and July 21, 2013. In Claim One, Plaintiff alleges that his Eighth Amendment rights were violated by Defendants for deliberate indifference and knowing endangerment to Plaintiff's safety. In Claim Two, Plaintiff alleges that Defendants have violated his First

1 Amendment right to access the courts and violated federal laws. In
2 Claim Three, Plaintiff alleges that his Eighth Amendment rights have
3 been violated by Defendant Dr. Squetini's deliberate indifference and
4 failure to provide adequate medical care. Plaintiff seeks injunctive
5 and declaratory relief.

6 On November 21, 2013, a civil rights Complaint entitled Brian L.
7 Brown v. Linda T. McGrew, et al., was lodged in the United States
8 District Court for the Central District of California pursuant to an
9 October 25, 2013 "Transfer Order" from the United States District
10 Court for the District of Columbia. On December 4, 2013, Plaintiff's
11 Complaint was filed and given Case No. ED CV 13-02136-AHS (VBK),
12 pursuant to the Court's "Order re Leave to File Action Without
13 Prepayment of Full Filing Fees." Plaintiff names as Defendants Warden
14 Linda T. McGrew; Mr. Luniz; Ms. Boyd; Mr. Prieto; Mr. Cintoran; Mr.
15 Halstead; and Dr. Squetini. Plaintiff alleges that Defendants
16 violated his rights on July 15, 2013 and July 21, 2013. In Claim One,
17 Plaintiff alleges that he was subjected to serious bodily injury by
18 disclosing to other inmates that Plaintiff was a sex offender. In
19 Claim Two, Plaintiff alleges a First Amendment violation against his
20 right to access the courts. In Claim Three, Plaintiff alleges an
21 Eighth Amendment violation and deliberate indifference against
22 Defendant Dr. Squetini.

23 It appears to the Court from its review of the Complaints herein
24 filed by Plaintiff that (a) the issues raised in these actions are
25 directly related; (b) at least some of the legal and factual issues
26 raised in these actions are identical; (c) there is a risk of
27 inconsistent rulings on issues of law and fact if the two actions are
28 allowed to proceed simultaneously; and (d) it is not in the interest

1 of judicial economy to allow the two actions to proceed
2 simultaneously.

3 Plaintiff is advised that, if he proceeds on the two cases, in
4 accordance with 28 U.S.C. § 1915, Plaintiff will owe the Court the
5 total filing fees of \$800.00 rather than \$400.00.

6 The Court **HEREBY ORDERS** Plaintiff to show cause within 21 days of
7 the date of this Order as to why ED CV 13-02136-AHS (VBK) should not
8 be voluntarily dismissed or consolidated with ED CV 13-01497-AHS
9 (VBK).

10
11 DATED: 1-7-2014



VICTOR B. KENTON
UNITED STATES MAGISTRATE JUDGE