

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

WAYNE P. DEBERRY,

Plaintiff,

v.

AUDREY KING and DAVID  
LANDRUM,<sup>1</sup>

Defendants.

Case No. 1:07-cv-00850-BLW

**ORDER CONSOLIDATING CASES**

Pending before the Court is Defendants' Request for Scheduling Order and Consolidation Regarding Computer Claims (Dkt. 56). Defendants ask that the Court consolidate Plaintiff's recently-remanded substantive due process claims regarding the purchase and possession of laptop computers ("Computer Claims") with similar claims in other cases.

The Court has reviewed this case and found it sufficiently related to warrant consolidation with *Allen v. King*, 1:06-cv-01801-BLW-LMB, which has already been consolidated with *Robinson v. Mayberg*, 1:08-cv-01339-BLW-LMB; and *Frazier v. Mayberg*, 1:09-cv-02153-BLW.

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<sup>1</sup> David Landrum is substituted for his predecessor, Jack Carter, pursuant to Federal Rule of Civil Procedure 17(d).

**ORDER CONSOLIDATING CASES - 1**

**THEREFORE, IT IS HEREBY ORDERED:**

1. Defendants' Request for Substitution of Defendant (Dkt. 57) is **GRANTED**.
2. Defendants' Request for Scheduling Order and Consolidation Regarding Computer Claims (Dkt. 56) is **GRANTED IN PART**.
3. This case is **CONSOLIDATED** with *Allen v. King*, Case No. 1:06-cv-01801-BLW-LMB. This consolidation is done for purposes of all remaining claims in all consolidated cases.
4. **The lead case shall be *Allen v. King*, Case No. 1:06-cv-01801-BLW-LMB. All filing and docketing shall be done only in the lead case.**



DATED: December 15, 2014

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill  
Chief Judge  
United States District Court