



1 any right to relief jointly, severally, or in the alternative with respect to or arising out of the same  
2 transaction, occurrence, or series of transactions or occurrences; and (B) any question of law or fact  
3 common to all plaintiffs will arise in the action.” According to the Ninth Circuit, Fed. R. Civ. P. 20  
4 must be interpreted liberally to avoid multiple lawsuits. League to Save Lake Tahoe v. Tahoe Reg'l  
5 Planning Agency, 558 F.2d 914, 917 (9th Cir. 1977). However, where the two elements present in  
6 Fed. R. Civ. P. 20(a) are lacking, a district court may require severance of a would-be plaintiff.  
7 Coughlin v. Rogers, 130 F.3d 1348, 1351 (9th Cir. 1997) (“joined plaintiffs fail to meet both of these  
8 requirements, the district court may sever the misjoined plaintiffs, as long as no substantial right will  
9 be prejudiced by the severance.”)

10 Key appears to request relief in a matter to which he is not a party. His claim of retaliation  
11 bears no relation to Plaintiff’s claim arising from an alleged excessive use of force on October 6, 2006  
12 and bears no common question of law or fact to Plaintiff Eighth Amendment claim. Moreover, the  
13 Court lacks any jurisdiction to address the relief requested. Though the Court does not condone  
14 retaliation against a witness, the Court does not control the CDCR’s decision as to where an inmate is  
15 housed and has no authority to require that agency to take any particular action.

16 Accordingly, Key’s request for relief (Doc. 226) is **DENIED**.

17  
18 IT IS SO ORDERED.

19 Dated: August 5, 2013

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE