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KENNETH HUSKEY,

Case No. 1:11-cv-00764 JLT (PC)

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Plaintiff,

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vs.

ORDER DENYING PLAINTIFF'S MOTION
TO CONSOLIDATE

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PAM AHLIN, et al.,

(Doc. 4)

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Defendants.

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Plaintiff is a civil detainee proceeding pro se and *in forma pauperis* with a civil rights action pursuant to 42 U.S.C. § 1983. On May 11, 2011, Plaintiff filed a motion to consolidate this action with a related case, *Allen v. Mayberg, et al.*, 1:06-cv-1801-BLW. (Doc. 4). On March 16, 2009, in *Allen v. Mayberg*, the court consolidated several similar cases from sexually violent predators housed at Coalinga State Hospital regarding the new regulation restricting their ability to access certain electronics. *Allen v. Mayberg, et al.*, 1:06-cv-1801-BLW, at Doc. 24. On July 23, 2010, the *Allen* Court ordered that all related cases in the district were to be referred to the court for consolidation within thirty days otherwise, no further cases would be considered for consolidation. *Id.* at Doc. 54. Plaintiff filed his complaint on May 11, 2011, well past the *Allen* Court's suspense for consolidation. (Doc. 1). Therefore, Plaintiff's motion to consolidate his case pursuant to Rule 42(a) of the Federal Rules of Civil Procedure is untimely. However, Plaintiff is free to file a motion to intervene in the *Allen* matter should he wish.

1 Accordingly, it is HEREBY ORDERED that Plaintiff's motion for consolidation is DENIED.

2 IT IS SO ORDERED.

3 Dated: October 17, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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