

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

CLINTON E. CALHOUN and QUINTON
SHELDON JOHNSON, 1:12 cv 2016 LJO GSA

Plaintiffs,

1:12 cv 2016 LJO GSA

**ORDER DISMISSING CASE WITHOUT
PREJUDICE**

CALIFORNIA DEPARTMENT OF
CORRECTIONS; AGENT TURNER, KMPH
FOX CHANNEL 26; AND LEMOR
ABRAMS,

Defendants.

I. Introduction

18 Plaintiffs Clinton E. Calhoun and Quinton Sheldon Johnson ("Plaintiffs"), two state prisoners
19 proceeding pro se, filed a complaint on December 12, 2012. (Doc. 1). Both Plaintiffs allege illegal
20 searches of their apartments were conducted by Defendants, California Department of Corrections
21 ("CDC"); Agent Turner a CDC officer; KMPH FOX Channel 26; and Lemor Abrams, a news anchor
22 of at Channel 26. Plaintiff contend CDC officers and a news crew came to each their apartments on
23 or about October 30, 2011. After banging on their doors, CDC officers handcuffed each of them and
24 removed them from their residences. After Plaintiffs' removals, the officers searched each of the
25 Plaintiffs' homes. Plaintiffs allege these events were filmed by KMPH Fox Channel 26 and were
26 aired on the Fresno evening news as part of a CDC operation devised to keep a close eye on reported
27 sexual offenders. Both Plaintiffs allege violations of 42 U.S.C. section 1983 based on the Fourth,
28 Fifth and Fourteenth Amendments of the Constitution. They seek actual and compensatory damages,

1 and declaratory and injunctive relief.

2 **II. Discussion**

3 The complaint is problematic for several reasons. First, it is improper that two Plaintiffs filed
4 one complaint. Each Plaintiff must file their own complaint and detail the events and the causes of
5 action related the particular facts of their own case. While the events are similar, Plaintiffs cannot
6 combine the two actions together. If Plaintiffs believe that the cases are related, they should file a
7 notice of related cases at the time they file their complaints and the Court will then determine
8 whether the cases will be assigned to the same judge. Plaintiffs are further advised that each
9 complaint must be signed by each Plaintiff. Local Rule 173(b). The instant complaint was only
10 signed by Plaintiff Calhoun.

11 Finally, neither Plaintiff has paid the \$350.00 filing fee, or submitted an application to
12 proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Any future complaints filed must contain
13 either the \$350.00 filing fee, or an in forma pauperis application for each complaint filed.

14 **III. Order**

15 Accordingly, IT IS HEREBY ORDERED that:

16 This case be dismissed without prejudice. If Plaintiffs resubmit another complaint, it shall
17 conform with the instructions contained in this order. The Clerk of the Court is directed to serve
18 Plaintiffs with two copies of the prisoner in forma pauperis application.

19 IT IS SO ORDERED.

20 **Dated: March 1, 2013**

21 /s/ Lawrence J. O'Neill
22 UNITED STATES DISTRICT JUDGE

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