

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

9	AARON THORNTON,	) 1:13-cv-00018-LJO-MJS-HC
10		) 1:13-CV-00220-SKO-HC
	Petitioner,)
11	v.	) ORDER CONSOLIDATING CASES
12	ALFRED CAMPOS,	) 1:13-cv-00018-LJO-MJS-HC
13		) AND 1:13-cv-00220-SKO-HC
	Respondent.	) ORDER DIRECTING THE CLERK
		) TO CLOSE ACTION NUMBER
14	AARON THORNTON,	) 1:13-cv-00220-SKO-HC
15		) ORDER DIRECTING THE PARTIES TO
16	Petitioner,	) FILE IN THE FUTURE ALL DOCUMENTS
17	v.	) IN ACTION NUMBER 1:13-cv-00018-
18	THE PEOPLE OF THE STATE OF	) LJO-MJS-HC
19	CALIFORNIA,)
	Respondents.)
)

Petitioner Aaron Thornton is proceeding pro se and in forma pauperis in action number 1:13-cv-00220-SKO-HC with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 and 303. Pending before the Court is the petition, which was filed on February 12, 2013.

Rule 4 of the Rules Governing § 2254 Cases in the United States District Courts (Habeas Rules) requires the Court to make

1 a preliminary review of each petition for writ of habeas corpus.
2 The Court must summarily dismiss a petition "[i]f it plainly
3 appears from the petition and any attached exhibits that the
4 petitioner is not entitled to relief in the district court...."
5 Habeas Rule 4; O'Bremski v. Maass, 915 F.2d 418, 420 (9th Cir.
6 1990); see also Hendricks v. Vasquez, 908 F.2d 490 (9th Cir.
7 1990).

8 From screening the petition in case number 1:13-cv-00220-SKO
9 HC, it appears that the petition concerns the same detention that
10 is presently before the Court in Thornton v. Campos, case number
11 1:13-cv-00018-LJO-MJS-HC, another habeas corpus proceeding that
12 is awaiting screening.

13 Accordingly, the Court EXERCISES its discretion pursuant to
14 Fed. R. Civ. P. 42(a)¹ to consolidate the two habeas corpus
15 actions for all purposes so that the cases may be screened
16 together, and the exact nature of the claims for relief may be
17 determined.

18 Accordingly, it IS ORDERED that

19 1. Actions number 1:13-cv-00018-LJO-MJS-HC and 1:13-cv-
20 00220-SKO-HC are CONSOLIDATED for all purposes; and

22 ¹ Fed. R. Civ. P. 42(a) provides:

23 If actions before the court involve a common question
24 of law or fact, the court may:
25 1) join for hearing or trial any or all matters at
issue in the actions;
2) consolidate the actions; or
26 3) issue any other orders to avoid unnecessary cost
or delay.

27 A trial court has broad discretion to consolidate in whole or in part
28 cases pending in the same district. Investors Research Co. v. United States
District Court for the Central District of California, 877 F.2d 777 (9th Cir.
1989).

2. The parties are DIRECTED to file all future papers in action number 1:13-cv-00018-LJO-MJS-HC with a caption of Aaron Thornton, Petitioner, v. Alfred Campos, Respondent; and

3. The Clerk of Court is DIRECTED to file all future papers in action number 1:13-cv-00018-LJO-MJS-HC, and to close action number 1:13-cv-00220-SKO-HC.

IT IS SO ORDERED.

Dated: February 20, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE