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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MATTHEW JAMES DURY,

Plaintiff,

vs.

J. CIUFO,

Defendant.

1:13-cv-00595-LJO-GSA-PC

ORDER REASSIGNING ACTION TO
DISTRICT COURT JUDGE ANTHONY W.
ISHII AND MAGISTRATE JUDGE
BARBARA A. McAULIFFE

New Case Number:

1:13-cv-00595-AWI-BAM-PC

Matthew James Dury (“Plaintiff”) is a federal prisoner proceeding pro se and in forma pauperis with this civil rights action pursuant to Bivens vs. Six Unknown Agents, 403 U.S. 388 (1971). Plaintiff filed the Complaint commencing this action on April 24, 2013. (Doc. 1.) On May 6, 2013, Plaintiff filed the First Amended Complaint. (Doc. 6.)

The underlying facts and law giving rise to Plaintiff’s Bivens claim in this action are largely similar to the facts and law being litigated in case number 1:13-00161-AWI-BAM-PC, Matthew James Dury v. J. Ciufu, which was filed at this court on January 30, 2013. (Court Record.) Both cases proceed against the same sole defendant, J. Ciufu, and concern allegations that Plaintiff has been denied postage stamps at USP-Atwater, where Plaintiff is presently incarcerated. In light of the similarities of the two cases, and in the interest of judicial economy, the Court finds good cause to assign them to the same judges for resolution.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. This case is reassigned from District Judge Lawrence J. O’Neill to District
3 Judge Anthony W. Ishii as presiding judge;

4 2. In place of Magistrate Judge Gary A. Austin, this case is referred to Magistrate
5 Judge Barbara A. McAuliffe; and

6 3. The new case number for this action shall be 1:13-cv-00595-AWI-BAM-PC,
7 and all future pleadings and/or correspondence must be so numbered, and the parties are
8 advised that use of an incorrect case number, including initials, may result in a delay of
9 documents being processed and correctly distributed and received by the appropriate judicial
10 officer.

11
12 IT IS SO ORDERED.

13
14 Dated: **June 24, 2013**

/s/ Lawrence J. O’Neill
15 UNITED STATES DISTRICT JUDGE