1

2

3

4

5

6

7

UNITED STATES DISTRICT COURT

8

EASTERN DISTRICT OF CALIFORNIA

9

10 DAVID LESLIE MANNING, JR.,   Case Nos. 1:15-cv-00530-DLB (PC)
                                                                2:15-cv-02601-TLN-AC
11   Plaintiff,

                                                  ORDER RELATING CASES AND
12   v.   REASSIGNING ACTION TO MAGISTRATE
                                                  JUDGE DENNIS L. BECK
13 M. STAINER, et al.,

                                                  New Case No. 1:16-cv-00049 LJO DLB (PC)
14   Defendants.

_____/

15

16

17   Plaintiff David Leslie Manning, Jr., a state prisoner proceeding pro se and in forma

18 pauperis, filed a civil rights action pursuant to 42 U.S.C. § 1983 on November 18, 2015, in Case

19 No. 1:15-cv-01744-MJS (PC).   The matter was transferred to the Sacramento Division on

20 December 16, 2015, and assigned Case No. 2:15-cv-02601-AC.   Plaintiff seeks relief from a

21 decision by the Board of Parole Hearings denying early parole release.

22   In his complaint in Case No. 2:15-cv-02601-AC, Plaintiff references filing the prior case of

23 1:15-cv-00530 DLB PC which is currently pending screening before this Court.   The Court's

24 review of these cases reveals that the case of Manning v. Stainer, 2:15-cv-02601-AC is related

25 under Local Rule 123 to the action Manning v. Stainer, 1:15-cv-00530-DLB (PC).   Both actions

26 are based on the same or substantially similar underlying facts and involve overlapping questions

27 of law and fact.

28   Accordingly, IT IS HEREBY ORDERED that:

1.   The Office of the Clerk shall reassign case 2:15-cv-02601-AC and open a new case in the Fresno Division;

2.   The new case number shall be:

                 1:16-cv-00049 LJO DLB (PC)

    and all future pleadings and/or correspondence must be so numbered; use of an incorrect case number or incorrect judge's initials may result in delay in processing documents and distribution of copies to the judge assigned; and

3.   The Office of the Clerk shall relate case 1:16-cv-00049 LJO DLB (PC) with case 1:15-cv-00530-DLB (PC).

IT IS SO ORDERED.

Dated: **January 13, 2016**   /s/ *Dennis L. Beck*
                                         UNITED STATES MAGISTRATE JUDGE