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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

COREY WILLIAMS,
Plaintiff,

v.

EXECUTIVE DIRECTOR BRANDON
PRICE, et al.,
Defendants.

Old Case No. 1:20-cv-00312-SAB (PC)

ORDER CONSOLIDATING ACTION AND
DIRECTING CLERK OF THE COURT TO FILE
COMPLAINT IN LEAD CASE AND CLOSE
THIS ACTION

Corey Williams (“Plaintiff”), a civil detainee, is appearing pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On January 22, 2018, Plaintiff filed an action against Brandon Price and Pamela Ahlin challenging the amended to Cal. Code Regs. tit. 9, § 4350 which added additional devices that are considered contraband and therefore are prohibited to be possessed by a Sexually Violent Predator in the Department of State Hospitals. *See Williams v. Price* (“*Williams I*”), No. 1:18-cv-00102-NONE-SAB (E.D. Cal. Jan. 22, 2018). In *Williams I*, Plaintiff alleged that the amendments to section 4350 violated his constitutional rights and that his property which was now contraband under the regulation as well as additional property had been confiscated. (*Id.*)

On March 2, 2020, Plaintiff filed the instant action (“*Williams II*”) against Defendants Price and Ahlin, and additional Defendants Aaron Maylin, Samantha Sanchez, and Joanne Brewer challenging the same amendment to section 4350 and the confiscation of this same

1 property pursuant to the amended regulation.

2 Under the Local Rules of the Eastern District of California,

3 An action is related to another action within the meaning of this Rule when
4 (1) both actions involve the same parties and are based on the same or a similar
claim;
5 (2) both actions involve the same property, transaction, or event;
6 (3) both actions involve similar questions of fact and the same question of law and
their assignment to the same Judge or Magistrate Judge is likely to effect a
7 substantial savings of judicial effort, either because the same result should follow
in both actions or otherwise; or
8 (4) for any other reasons, it would entail substantial duplication of labor if the
actions were heard by different Judges or Magistrate Judges.

9 L.R. 123(a). These actions were related and reassigned to the magistrate judge on July
10 6, 2020. (Doc. No. 9.)

11 Where there are actions pending before the Court that involve common questions of law
12 or fact, Rule 42 of the Federal Rules of Civil Procedure provides that “the court may: (1) join
13 for hearing or trial any or all matters at issue in the actions; (2) consolidate the actions; or
14 (3) issue any other orders to avoid unnecessary cost or delay.” Fed. R. Civ. P. 42(a). “For
15 convenience, to avoid prejudice, or to expedite and economize, the court may order a separate
16 trial of one or more separate issues, claims, crossclaims, counterclaims, or third-party claims.”
17 Fed. R. Civ. P. 42(b). “The district court has broad discretion under this rule to consolidate
18 cases pending in the same district.” *Inv’rs Research Co. v. U.S. Dist. Court for Cent. Dist. of*
19 *California*, 877 F.2d 777, 777 (9th Cir. 1989).

20 Here, both actions, *Williams I* and *Williams II*, bring the same challenges to the
21 amendment to section 4350 and allege confiscation of the same property due to the amended
22 regulation. Both actions are brought against Defendants Price and Ahlin, although Plaintiff has
23 included additional defendants in *Williams II*. As both of these actions involve the same or
24 similar parties and are based on the same claims, the court finds that it will effect a substantial
25 savings of judicial effort to consolidate these actions into a single action under Rule 42(a).


26 Accordingly, IT IS HEREBY ORDERED that:

- 27 1. This action is consolidated under Rule 42(a) of the Federal Rules of Civil
28 Procedure with *Williams v. Price*, No. 1:18-cv-00102-NONE-SAB;

2. The Clerk's Office is directed to consolidate *Williams v. Price*, No. 1:18-cv-00102-NONE-SAB and *Williams v. Price*, No. 1:20-cv-312-SAB;
3. *Williams v. Price*, No. 1:18-cv-00102-NONE-SAB shall be designated as the lead case;
4. The parties are instructed to file all future documents in *Williams v. Price*, No. 1:18-cv-00102-NONE-SAB; and
5. The Clerk of the Court is directed to file the May 2, 2020 complaint from *Williams v. Price*, No. 1:20-cv-312-SAB and a copy of this order in the case *Williams v. Price*, No. 1:18-cv-00102-NONE-SAB and to close this action.

IT IS SO ORDERED.

Dated: July 20, 2020



UNITED STATES DISTRICT JUDGE