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

VICENTE MANUEL GARCIA,

Plaintiff,

No. 2:08 CV 0006 AWT

vs.

ROCHE, et al.,

ORDER

Defendants.

\_\_\_\_\_ /

1. Plaintiff’s Motion for Permissive Joinder (Docket Entry 22) is **DENIED**. The Motion seeks to join the claims and defendants from a separate case, Garcia v. Joaquin, No. 10 Civ. 730 (AWI) (MJS), to this case. Although both cases concern the quality of the medical care Garcia has received in the California prison system, the two cases focus upon two separate prison facilities at which Garcia has been incarcerated, each with its own staff and own course of treatment. Accordingly, the claims in each case turn on unique facts, making joinder under Federal Rule of Civil Procedure 20(a)(2) improper. *See, e.g., Hysell v. Schwarzenegger*, 2011 WL 2678829, at \*13 (E.D. Cal. July 06, 2011); *Pena v. McArthur*, 889 F. Supp. 403, 405 (E.D. Cal. 1994).

2. Plaintiff’s Motion to Amend (Docket Entry 24) is **GRANTED**. Plaintiff shall file a Second Amended Complaint within 30 days of the date of this order.

Dated: August 16, 2011

/s/ A. Wallace Tashima  
A. WALLACE TASHIMA  
United States Circuit Judge  
Sitting by designation.