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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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CLARENCE JOSEPH HAYES,

Petitioner

CIV. NO. 2:07-2755 WBS JFM

vs.

DEBERA DEXTER, Warden, ATTORNEY
GENERAL OF THE STATE OF
CALIFORNIA,

RELATED CASE ORDER

Respondent.

CLARENCE JOSEPH HAYES,

Petitioner,

CIV. NO. 09-2433 GEB EFB

vs.

D.K. Sisto,

Respondent.

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Examination of the above-entitled actions reveals that these actions are related within the meaning of Local Rule 83-123(a) because the petitions in both cases challenge the same conviction. Accordingly, the assignment of the matters to the same district judge and magistrate judge is likely to effect a


1 substantial saving of judicial effort and is also likely to be
2 convenient for the parties.

3 The parties should be aware that relating the cases
4 under Local Rule 83-123 merely has the result that both actions
5 are assigned to the same district judge and magistrate judge; no
6 consolidation of the actions is effected. Under the regular
7 practice of this court, related cases are generally assigned to
8 the judge and magistrate to whom the first filed action was
9 assigned.

10 IT IS THEREFORE ORDERED that the actions denominated
11 Hayes v. Dexter, Civ. No. 2:07-2755 WBS JFM, and Hayes v. Sisto,
12 Civ. No. 2:09-2433 GEB EFB be, and the same hereby are, deemed
13 related and the case denominated Hayes v. Sisto, Civ. No. 2:09-
14 2433 GEB EFB, shall be reassigned to the Honorable WILLIAM B.
15 SHUBB and Magistrate Judge JOHN F. MOULDS for all further
16 proceedings. Any dates currently set in the reassigned case
17 only are hereby VACATED. Henceforth, the caption on documents
18 filed in the reassigned case shall be shown as Hayes v. Sisto,
19 Civ. No. 2:09-2433 WBS JFM.

20 IT IS FURTHER ORDERED that the Clerk of the Court
21 make appropriated adjustment in the assignment of civil cases to
22 compensate for this reassignment.

23 DATED: January 19, 2010

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25 
26 WILLIAM B. SHUBB
27 UNITED STATES DISTRICT JUDGE
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