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

TENG YANG,

Petitioner,

No. 2:09-cv-2578-JFM (HC)

vs.

CHARLES DEROSA, Warden,

Respondent.

ORDER

_____ /

Examination of this action and the court’s records reveals that the petitioner has previously filed a petition for relief in the same matter.¹ (No. 2:08-cv-2233-KJM (HC).) Said petition is still pending. Good cause appearing, pursuant to Local Rule 81-190(d), the above-captioned action will be reassigned to the Magistrate Judge who is considering the prior petition.

The parties should be aware that reassigning this action under Local Rule 81-190(d) merely has the result that the action is assigned to the Magistrate Judge who is considering the prior petition; no consolidation of the actions is effected at this time.²

¹ A court may take judicial notice of court records. See MGIC Indem. Co. v. Weisman, 803 F.2d 500, 505 (9th Cir. 1986); United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980).

² All challenges to petitioner’s 2003 Butte County conviction must be raised in one action. See Rule 2(c), 28 U.S.C. foll. § 2254.

