# IN THE UNITED STATES DISTRICT COURT <br> 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 abovecaptioned 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 81190(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. ${ }^{2}$

[^0]Accordingly, IT IS HEREBY ORDERED that:

1. This action is reassigned to Magistrate Judge Kimberly J. Mueller for all further proceedings; henceforth, the caption on documents filed in this action shall be shown as No. 2:09-cv-2578; and
2. The Clerk of the Court shall make appropriate adjustment in the assignment of civil cases to compensate for this reassignment.

DATED: October 8, 2009.


12
yang 2578.190


[^0]:    ${ }^{1}$ 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.

