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

RUSSELL D. BURGESS,

Petitioner,

No. 2:09-cv-2632 JAM KJN P

vs.

MIKE KNOWLES,

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. 2:03-cv-0588 JAM EFB). Pursuant to Local Rule 190(d), the above-captioned action will be reassigned to the Judge and Magistrate Judge who considered the prior petition.

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


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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).

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Accordingly, IT IS HEREBY ORDERED that this action is reassigned to Judge
John A. Mendez and Magistrate Judge Edmund F. Brennan for all further proceedings;
henceforth, the caption on documents filed in this action shall be shown as:
No. 2:09-cv-2632 JAM EFB.
DATED: March 1, 2010


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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