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

CHARLIE CHONG THAO,

Petitioner,

No. CIV S-09-3572 FCD EFB P

vs.

G. SWARTHOUT, Warden,

Respondent.

ORDER

_____ /

Petitioner, a prisoner without counsel, has filed a petition for a writ of habeas corpus. See 28 U.S.C. § 2254. Examination of the petition and the court’s records reveals that petitioner has raised the exact same challenges to the same conviction (Sacramento County Case No. 06F09643) in an earlier petition to this court, Case No. CIV S-09-3536 WBS DAD. Pursuant to Local Rule 190(d), the above-captioned action will be reassigned to the Judge and Magistrate Judge who considered the prior petition. This action does not effect consolidation of the actions.

Accordingly, it is hereby ordered that:

- 1. This action is reassigned to Judge William B. Shubb and Magistrate Judge Dale A. Drozd for all further proceedings; henceforth the caption on documents filed in this action shall be shown as No. CIV S-09-3572 WBS DAD P; and

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1 2. The Clerk of the Court shall make appropriate adjustment in the assignment of civil
2 cases to compensate for this reassignment.

3 Dated: June 22, 2010.

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5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
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