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

CORBY SARGENT,

Petitioner,

No. 2: 10-cv-2249 KJN P

vs.

MICHAEL MARTELL,

Respondent.

ORDER

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Examination of this action and the court’s records reveals that the petitioner has previously filed a petition for relief in the same matter.<sup>1</sup> (No. 2: 08-cv-3157 MCE EFB P.) 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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<sup>1</sup> 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:

1. This action is reassigned to Judge England and Magistrate Judge Brennan for all further proceedings; henceforth, the caption on documents filed in this action shall be shown as No. 2: 10-cv-2249 MCE EFB P; and

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

DATED: August 25, 2010

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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