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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CR. NO. S-05-410 LKK

ARNOLD HERRERA,

Defendant.

_____/

UNITED STATES OF AMERICA,

Plaintiff,

v.

MISC. NO. S-10-051 FCD/EFB

ARNOLD HERRERA,

Defendant.

RELATED CASE ORDER

Pending before the court is a notice of related cases concerning United States v. Herrera, 2:05-cr-410-LKK and United States v. Herrera, 2:10-mc-51-FCD-EFB.

Examination of the above-entitled actions reveals that they are related within the meaning of Local Rule 123. The earlier

1 case resulted in a judgment imposing \$350,000 in restitution on
2 Herrera, and the latter case seeks a writ of garnishment to be used
3 in satisfying this judgment. Accordingly, the assignment of the
4 matters to the same judge and magistrate judge is likely to effect
5 a substantial savings of judicial effort and is also likely to be
6 convenient for the parties.

7 The parties should be aware that relating the cases under
8 Local Rule 123 merely has the result that the actions are assigned
9 to the same judge; no consolidation of the actions is effected.
10 Under the regular practice of this court, related cases are
11 generally assigned to the judge and magistrate judge to whom the
12 first filed action was assigned.

13 Accordingly the court ORDERS as follows:

- 14 1. The above cases are RELATED.
- 15 2. The action denominated Civ. No. 2:10-mc-51-FCD-EFB is
16 REASSIGNED to Judge Lawrence K. Karlton for all further
17 proceedings, and any dates currently set in the
18 reassigned case only, are hereby VACATED.
- 19 3. Because the earlier case was a criminal case to which no
20 magistrate judge was assigned, Magistrate Judge Brennan
21 shall remain assigned to the latter case.
- 22 4. Henceforth, the caption on documents filed in the
23 reassigned case shall be shown as Civ. No. 2:10-mc-51-
24 LKK-EFB.

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

IT IS SO ORDERED.

DATED: May 19, 2010.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT