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

ROBIN GILLEN STARR,

Petitioner,

No. 2:12-cv-0083 KJN P

vs.

STATE OF CALIFORNIA, et al.,

Respondents.

ORDER

_____ /

Petitioner, a state prisoner proceeding without counsel, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with an application to proceed in forma pauperis.

Examination of the in forma pauperis application reveals that petitioner is unable to afford the costs of suit. Accordingly, the application to proceed in forma pauperis will be granted. See 28 U.S.C. § 1915(a).

In his petition, petitioner appears to challenge separate convictions in Yolo County and Sacramento County. A petitioner seeking relief from judgments of more than one state court must file a separate petition covering the judgment or judgments of each court. Rule 2(e), Federal Rules Governing Section 2254 Cases. Therefore, petitioner may not challenge both his Yolo County and Sacramento County convictions in this action.

1 Court records indicate that petitioner filed another habeas corpus petition in
2 this court, also assigned to the undersigned. See Starr v. State of California, Case No. 2:12-cv-
3 0083 KJN P. In that case, petitioner also challenged both his Yolo County and Sacramento
4 County convictions. The undersigned dismissed the petition with leave to file an amended
5 petition containing petitioner's challenge only to his Yolo County conviction; petitioner was
6 informed that he could pursue his challenge to his Sacramento County conviction in the instant
7 case. (Id., Dkt. No. 6.) Although petitioner apparently refused service of the court's order in
8 Case No. 2:12-cv- 0083 KJN P (id., April 10, 2012 docket entry), the undersigned will retain this
9 distinction in petitioner's two pending cases.

10 Therefore, petitioner may proceed, in the instant action, only with his claims
11 challenging his Sacramento County conviction.

12 One additional matter must be addressed. Petitioner has filed a motion to obtain
13 an order of this court directing the Sacramento County Sheriff "to pick up the plaintiff(s) (sic) for
14 a fair trial . . ." (Dkt. No. 6.) There is no basis or authority for such motion, which will therefore
15 be denied. If petitioner prevails in this court in a challenge to his Sacramento County conviction,
16 then the court will address at that time the appropriateness of a new trial.

17 Accordingly, IT IS HEREBY ORDERED that:

18 1. Petitioner's application to proceed in forma pauperis (Dkt. No. 7), is granted.

19 2. Petitioner's petition for writ of habeas corpus (Dkt. No. 1), is dismissed.

20 petitioner is granted thirty days from the date of this order to file an amended petition containing
21 only the claims challenging his Sacramento County conviction; failure to comply with this order
22 will result in a recommendation that this action be dismissed.

23 3. Petitioner's motion for trial (Dkt. No. 6), is denied.

24 DATED: April 24, 2012

25 
KENDALL J. NEWMAN
26 UNITED STATES MAGISTRATE JUDGE

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