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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TERRELL DWAYNE HALL,

Plaintiff,

v.

DEUEL VOCATIONAL INSTITUTION  
et al.,

Defendants.

No. 2:13-cv-0746 AC P

ORDER

Plaintiff moves for reassignment to the undersigned magistrate judge of all plaintiff's cases currently pending before this court. See ECF No. 42. In addition to the instant case, plaintiff has two open cases: (1) Hall v. San Joaquin County Jail et al., Case No. 2:13-cv-00324 AC P; and (2) Hall v. Macomber et al., Case No. 2:16-cv-02106 TLN EFB P. The first of these cases is already assigned to the undersigned; therefore, plaintiff's instant motion is construed as a motion to reassign Hall v. Macomber et al., Case No. 2:16-cv-02106 TLN EFB P to the undersigned magistrate judge. Such reassignment would require the approval of both the transferring and accepting magistrate judge. See Local Rules, Eastern District of California, Appendix A (Automated Case Assignment Plan), subd. (f).

Plaintiff is informed that the initial assignment of all cases in this federal district court is random, as implemented by the Automated Case Assignment System. See id., Appendix A.

1 Random judicial assignments ensure that every litigant has the same opportunity to appear before  
2 a given district judge and/or magistrate judge, and that the assessments of their cases will be  
3 neutral.

4 Absent a showing that a litigant's cases are related, as defined by Local Rule 123,<sup>1</sup> there is  
5 no basis for reassignment to the same presider. The court has compared the claims in the instant  
6 case with those in Hall v. Macomber, supra, Case No. 2:16-cv-02106 TLN EFB P, and finds that  
7 they do not meet the requirements for relation. The undersigned previously summarized  
8 plaintiff's claims in the instant case, alleged against twenty defendants at Deuel Vocational  
9 Institution (DVI), as set forth in his proposed Second Amended Complaint (SAC),<sup>2</sup> ECF No. 36  
10 at 2-3:

11 In his SAC, plaintiff contends that in December 2012, during his  
12 physical examination when initially incarcerated, plaintiff was  
13 administered an injection, reportedly against hepatitis, that  
14 allegedly caused significant changes to his entire body resulting in  
15 overt feminization. See ECF No. 22. These changes have been  
16 distressing to plaintiff, both privately and due to the responses of  
inmates and prison staff. Plaintiff alleges that he was subjected to  
relentless verbal harassment and name calling, the tampering of his  
food, and intentional obstruction in his attempts to exhaust  
administrative remedies. In the SAC, which names more than thirty  
defendants, plaintiff seeks damages, "medical fees paid for the

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17 <sup>1</sup> Local Rule 123(a) provides in pertinent part:

18 (a) Definition of Related Cases. An action is related to another  
19 action within the meaning of this Rule when

20 (1) both actions involve the same parties and are based on the same  
21 or a similar claim;

22 (2) both actions involve the same property, transaction, or event;

23 (3) both actions involve similar questions of fact and the same  
24 question of law and their assignment to the same Judge or  
Magistrate Judge is likely to effect a substantial savings of judicial  
25 effort, either because the same result should follow in both actions  
or otherwise; or

26 (4) for any other reasons, it would entail substantial duplication of  
27 labor if the actions were heard by different Judges or Magistrate  
Judges.

28 <sup>2</sup> Plaintiff has since filed a proposed Third Amended Complaint, see ECF No. 41, which is  
pending the court's screening under 28 U.S.C. § 1915A.


1 massive surgery I need,” fees and costs, and a “public apology for  
2 the defamation.” Id. at 3.

3 In contrast, in Hall v. Macomber, all or most of the twenty-six defendants work at California State  
4 Prison Sacramento, not at DVI. The allegations in that case are more expansive than the medical  
5 matters pursued in the instant case, e.g., including alleged food tampering, excessive force and  
6 retaliation.

7 In short, plaintiff’s claims in Hall v. Macomber and the instant case involve different  
8 parties, different claims, and different questions of fact and law. Cf. Local Rule 123(a)(1)-(3).  
9 Plaintiff’s assertion that reassignment would nevertheless demonstrate to one presider the  
10 “partern of retaliational compariscy” (sic), ECF No. 42 at 1, is not persuasive. Such rationale  
11 seeks to undermine the independent and objective assessments otherwise achieved by random  
12 assignment of unrelated cases. Moreover, there is no indication that relating such dissimilar cases  
13 would reduce any “substantial duplication of labor.” Local Rule 123(a)(4). For these several  
14 reasons, plaintiff’s motion must be denied. The undersigned declines to request the reassignment  
15 of this case from the assigned magistrate judge.

16 Accordingly, IT IS HEREBY ORDERED that plaintiff’s motion to reassign Hall v.  
17 Macomber et al., Case No. 2:16-cv-02106 TLN EFB P, to the undersigned magistrate judge, ECF  
18 No. 42, is DENIED.

19 DATED: March 20, 2018

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21 ALLISON CLAIRE  
22 UNITED STATES MAGISTRATE JUDGE  
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