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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH KHANISHU,
Petitioner,
v.
WARDEN SPEARMAN,
Respondent.

No. 2:14-cv-0579 TLN AC P

ORDER

Petitioner’s initial filing in this case was dismissed with leave to amend for, inter alia, petitioner’s failure to identify the nature of the conviction he was challenging or the length of his sentence. See Order at ECF No. 7. Petitioner filed an amended petition on April 3, 2014. ECF No. 10. Examination of the amended petition and the court’s records reveals that the petitioner has previously filed a petition for relief in the same matter: Case No. 2:10-cv-2171 CMK P. Pursuant to Local Rule 190(d), the above-captioned action is to be reassigned to the Judge and Magistrate Judge who considered the prior petition.¹

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 Magistrate Judge who considered the prior petition; no consolidation of the actions is effected.

¹ In the prior petition, there was no District Judge assignment as the parties therein consented to the jurisdiction of the Magistrate Judge.

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Accordingly, IT IS HEREBY ORDERED that:

1. This action is reassigned to Magistrate Judge Craig M. Kellison for all further proceedings; henceforth, the caption on documents filed in this action shall be shown as No. 2:14-cv-0579 CMK P; and
2. The Clerk of the Court shall make appropriate adjustment in the assignment of civil cases to compensate for this reassignment.

DATED: April 11, 2014



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE