

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

AVON DAVIES,  
Plaintiff,  
v.  
M. DELAVEGA, et al.,  
Defendants.

No. 2:14-cv-2831 CKD P

ORDER

Plaintiff is a state prisoner proceeding pro se. Recently, the court dismissed plaintiff's 42 U.S.C. § 1983 complaint with leave to amend. On December 16, 2014, plaintiff filed a motion asking that 2:14-cv-2833 DAD P be consolidated with this action.

The court has reviewed the complaint in 2:14-cv-2833 DAD P and finds that there appears to be no reason not to honor plaintiff's request that this action and 2:14-cv-2833 DAD P proceed as one action.

Accordingly IT IS HEREBY ORDERED that:

1. Plaintiff's "Ex Parte Request to Consolidate Actions" (ECF No. 16) is granted as follows:

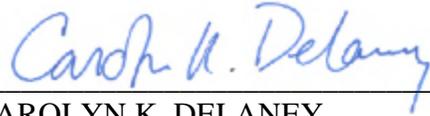
- A. The Clerk of the Court is directed to close 2:14-cv-2833 DAD P and file a copy of this order in that action.

//////

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

B. In his amended complaint, plaintiff is free to assert claims presented in his complaint in 2:14-cv-2833 DAD P, but only to the extent 1) administrative remedies were exhausted before the filing of this action and 2) to the extent joinder of any defendant to this action is permissible under Federal Rule of Civil Procedure 20(a)(2).

Dated: December 18, 2014



---

CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

1  
davi2831.con