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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY RAY BAKER,
Plaintiff,
v.
J. MACOMBER, et al.,
Defendants.

No. 2:15-cv-0248 TLN AC P

ORDER

On September 7, 2018, plaintiff filed in this case a request for leave to file an “emergency” civil rights complaint against several correctional officials at his current place of incarceration, the California Substance Abuse Treatment Facility (SATF) at California State Prison Corcoran. Plaintiff expresses concerns for his safety and asserts that he requires the court’s intervention before completion of the inmate appeals process. The instant case is plaintiff’s only currently open case in this court; however, this case is in trial preparation against sole defendant McCowan, who is not among the putative defendants identified in plaintiff’s most recent filing. To proceed with his new claims, plaintiff must file a new action, which will be assigned a new case number and randomly assigned to a magistrate judge. Plaintiff may seek emergency relief in the new action.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court is directed to:

A. Open a new case, with a randomly assigned case number and magistrate judge, entitled Timothy Ray Baker v. Correctional Officer R. Grider et al.

B. File in the new case: (i) a copy of plaintiff's most recent filing in this case (ECF No. 101); and (ii) a copy of this order.

C. Send plaintiff, together with a copy of this order, a blank prisoner civil rights complaint with the case number of plaintiff's newly-opened case.

2. Plaintiff shall, within thirty days after the filing date of this order, file a civil rights complaint on the form provided herewith.

3. Plaintiff may, at any time, file a further request for emergency relief in the newly-opened case; however, such request would be reinforced by the simultaneous filing of a complaint.

SO ORDERED.

DATED: September 11, 2018



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE