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United States District Court
For the Northern District of California

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

JAIRO ADALID MARTINEZ
VILLAFRANCA, a minor,

No C-05-4058 VRW

ORDER

Plaintiff,

v

DEPARTMENT OF HOMELAND SECURITY
et al,

Defendant.

_____ /

The court has reviewed the complaint and application for a temporary restraining order ("TRO"), both filed by plaintiff on October 7, 2005. The claims asserted appear to be highly similar if not identical to those in C-05-3783 MMC. On September 28, 2005, Judge Chesney rejected a similar application for a TRO in that case. Pursuant to Civil Local Rule 3-12(c), the clerk is directed to refer this matter to Judge Chesney to see if these cases should be related, and if so, to consider steps appropriate in light of what appears to be a duplicative filing.

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1 If Judge Chesney does not relate this case by October 27,
2 2005, Rebecca M Biernat shall appear before the undersigned at
3 10:30 AM on November 1, 2005, then and there to show cause why the
4 court should not impose sanctions under its inherent power. See
5 Hernandez v City of El Monte, 138 F3d 393, 398 (9th Cir 1998).

6
7 IT IS SO ORDERED.

8
9 

10 VAUGHN R WALKER

11 United States District Chief Judge