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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARIO TORRES,  
Plaintiff,  
v.  
ELLEN MCDONNELL, *et al.*,  
Defendants.

Case No. [23-cv-04276-SI](#)  
Related Case No. 16-6607 SI

**ORDER DENYING MOTION FOR  
APPOINTMENT OF COUNSEL AS  
MOOT AND RE: REQUEST FOR  
CLARIFICATION**

Re: Dkt. Nos. 12, 13

The Court has received two filings from Mr. Torres: (1) a motion for appointment of counsel and (2) a “request for clarification and request that this Court take notice.” Dkt. Nos. 12-13. The latter requests clarification about the Court’s order relating this case to an earlier case, *Torres v. Hansen et al.*, Case No. 16-6607 SI, over which the undersigned judge is currently presiding. It appears that Mr. Torres filed these documents before receiving<sup>1</sup> this Court’s September 8, 2023 order dismissing the complaint in *Torres v. McDonnell et al.*, Case No. 23-4276, without leave to amend. Dkt. No. 8. The Court also entered judgment on September 8, 2023. Dkt. No. 9.

Because this case is now closed, the Court DENIES AS MOOT the motion to appoint counsel. As to Mr. Torres’ request for clarification, the Court advises Mr. Torres that Case No. 23-4276 was “related” – and therefore reassigned to this judge – because the allegations of that complaint were in large part related to the earlier case, Case No. 16-6607. However, the cases were not consolidated and remained separate actions; Case No. 16-6607 is ongoing and set for trial on

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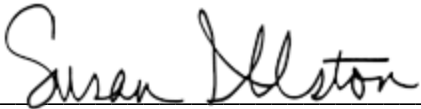
<sup>1</sup> The Clerk sent a copy of the Court’s orders and judgment to Mr. Torres by mail on September 13, 2023.

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November 6, 2023, and Case No. 23-4276 has been dismissed and is closed.

**IT IS SO ORDERED.**

Dated: September 19, 2023

  
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SUSAN ILLSTON  
United States District Judge