

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01648-BNB

PETER GEORGACARAKOS,

Plaintiff,

v.

HARRELL WATTS,  
DOCTOR BAXTER, and  
HARLEY LAPPIN,

Defendants.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

SEP 02 2009

GREGORY C. LANGHAM  
CLERK

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ORDER

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Plaintiff is a prisoner in the custody of the United States Bureau of Prisons at the United States Penitentiary, Administrative Maximum, in Florence, Colorado. Plaintiff initiated this action by filing *pro se* in the United States District Court for the District of Columbia (District of Columbia) a "Complaint for Violation of Civil Rights." On June 30, 2009, the District of Columbia entered a minute order granting Plaintiff's motion to transfer the action to this court. The action was filed in this court on July 13, 2009. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has ordered Plaintiff to file an amended complaint on the proper form approved for use by prisoners in this court.

On September 1, 2009, Plaintiff filed a "Motion to Join Civil Actions" in which he asks the court to consolidate this action with another pending case that allegedly raises identical claims against different Defendants. *See Georgacarakos v. Wiley*, No. 07-cv-01712-MSK-MEH (D. Colo. filed Aug. 14, 2007). The motion to consolidate will be

denied without prejudice because the motion is not properly filed in this action.

Pursuant to D.C.COLO.LCivR 42.1, “[a] motion to consolidate shall be decided by the district judge to whom the oldest numbered case involved in the proposed consolidation is assigned for trial.” Accordingly, it is

ORDERED that Plaintiff’s “Motion to Join Civil Actions” filed on September 1, 2009, is denied without prejudice to being filed in the proper action.

DATED September 2, 2009, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 09-cv-01648-BNB

Peter Georgacarakos  
Reg No. 03029-036  
US Penitentiary ADX  
P.O. Box 8500  
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 9/2/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk