

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

TERRY LEE SLY,
Plaintiff,

vs.

Case No. 5:09cv164/RS/MD

DENNIS BEESTING,
Defendant.

ORDER

This cause is before the court upon plaintiff's civil rights complaint filed pursuant to 42 U.S.C. §1983 (doc. 1), motion to proceed *in forma pauperis* (doc. 2), and motion for appointment of counsel (doc. 3). Upon review of the respective files in this case and in Case No. 5:09cv153/RS/AK, the court has determined that these cases present identical questions of fact and law, and name identical defendants. Accordingly, pursuant to Federal Rule of Civil Procedure 42(a), this case is hereby consolidated with Case No. 5:09cv153/RS/AK for all further proceedings. All further papers and pleadings shall be filed only in Case No. 5:09cv153/RS/AK.

Accordingly, it is ORDERED:

1. The clerk of court is directed to consolidate this case with Case No. 5:09cv153/RS/AK, and all future pleadings shall be filed in Case No. 5:09cv153/RS/AK.
2. A copy of this order shall be placed by the clerk in Case No. 5:09cv153/RS/AK.

DONE AND ORDERED this 6th day of May, 2009.

/s/ *Miles Davis*

**MILES DAVIS
UNITED STATES MAGISTRATE JUDGE**