

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

BEN H. SCOTT (#94592)

CIVIL ACTION

VERSUS

MASTER SERGEANT GREEN, ET AL.

NO.: 13-00196-BAJ-SCR

RULING ON MOTION TO CONSOLIDATE

Before the Court is a **Motion to Consolidate (Doc. 8)**, filed by pro se Plaintiff Ben H. Scott ("Plaintiff").

Plaintiff, an inmate confined at Hunt Correctional Center, St. Gabriel, Louisiana, filed this action pursuant to 42 U.S.C. § 1983 against Master Sergeant Green and Lieutenant Colonel Wanda Matthews (collectively "Defendants"). Plaintiff alleges that the Defendants delayed distribution of legal mail needed by him to seek *writs of certiorari* in the United States Supreme Court challenging his state criminal conviction.

As to the instant motion, Plaintiff seeks to consolidate the above-captioned matter with *Ben H. Scott v. Major Pinion*, Civil Action No. 13-00207-JJB-RLB, in which Plaintiff alleges that Major Pinion violated his constitutional rights when he engineered the delay of a hearing on disciplinary charges, resulting in Plaintiff being held in administrative segregation for a prolonged period of time.

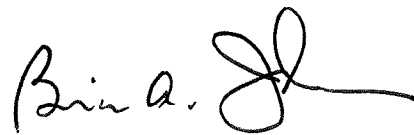
The Court first notes that Plaintiffs' complaints in the two above-mentioned matters allege unrelated claims against different defendants. Thus, they are not sufficiently related to warrant consolidation.

Second, a review of the record in Civil Action No. 13-00207-JJB-RLB reveals that Plaintiff failed to pay the initial partial filing fee. Thus, he was ordered to show cause as to why his complaint should not be dismissed for failure to pay the initial partial filing fee. See Civil Action No. 13-00207-JJB-RLB, Doc. 7. To the extent Plaintiff is now seeking to consolidate the above-mentioned matters in order to avoid paying the filing fee in Civil Action No. 13-00207-JJB-RLB, such a request is denied.

Accordingly,

IT IS ORDERED that Plaintiff's **Motion to Consolidate (Doc. 8)** is **DENIED**.

Baton Rouge, Louisiana, this 10th day of July, 2013.



**BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**