

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Sebastian Lucido,

Plaintiff,

v.

Civil Case No. 08-15269

Robert S. Mueller III, in his personal
and official capacities as Director of
The Federal Bureau of Investigation,
and the Financial Industry Regulatory
Authority,

Honorable Sean F. Cox

Defendants.

ORDER
DENYING PLAINTIFF'S MOTION TO CONSOLIDATE

Plaintiff Sebastian Lucido (“Lucido”) filed this civil action on December 24, 2008. The matter is currently before the Court on Lucido’s “Motion to Consolidate Two Related Criminal Cases and One Related Civil Case Before The Hon. Nancy G. Edmunds As The Judge With The First-Filed Matter.” (Docket Entry No. 5).

In his motion, Lucido asserts that he is seeking the same relief –expungement of his arrest record – in three different cases in this Court: 1) Criminal Case No. 92-80152, assigned to the Honorable Nancy Edmunds; 2) Criminal Case No. 93-81310, originally assigned to the Honorable George LaPlata but later reassigned to the Honorable Paul Borman; and 3) this action. Citing Civil Local Rule 83.11(b)(7) and Criminal Local Rule 57.10, Lucido asserts that this case, and the action assigned to Judge Borman, should be reassigned to Judge Edmunds as companion cases to her case having the lower case number, and then the three actions could be consolidated.

Civil Local Rule 83.11(b)(7)C provides that “[w]hen it becomes apparent to the Judge to

whom a case is assigned *and* to a Judge having an earlier case number that two cases are companion cases, *upon consent of the Judge having the earlier case number*, the Judge shall sign an order reassigning the case to the Judge having the earlier case number.” L.R.

83.11(b)(7)(C)(emphasis added). Following receipt of this motion, this Court made inquiry as to whether Judge Edmunds believes this case is a companion case to her Criminal Case No. 92-80152. Judge Edmunds advised that she has determined that this action is *not* a companion to her case. Thus, this action will not be reassigned to Judge Edmunds.

Accordingly, IT IS ORDERED that Plaintiff’s Motion to Consolidate is DENIED.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: June 1, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 1, 2009, by electronic and/or ordinary mail.

S/Jennifer Hernandez
Case Manager