

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**CHRISTOPHER GOLDEN**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 5:08cv156-MTP**

**GABRIEL WALKER, et al.**

**DEFENDANTS**

**ORDER TO SHOW CAUSE**

THIS MATTER is before the court *sua sponte* for case management purposes, having come to its attention that Plaintiff has another lawsuit pending before the court (Civil Action No. 5:08cv292) in which he makes a number of allegations very similar to those asserted in the instant lawsuit and asserts claims arising out of those allegations. Given that these actions appear to involve common questions of law or fact, as well as many of the same witnesses, it appears to the court that consolidation of these two actions may be appropriate.<sup>1</sup> Accordingly,

IT IS ORDERED THAT the parties show cause at a telephonic hearing to be held on Tuesday, August 25, 2009 at 10:00 a.m. why these two matters should not be consolidated and why the trial setting in this matter<sup>2</sup> should not be continued pending the holding of a *Spears* hearing, as well as the completion of other pre-trial matters, in 5:08cv292.

SO ORDERED this the 21st day of August, 2009.

s/ Michael T. Parker

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United States Magistrate Judge

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<sup>1</sup> Rule 42(a) of the Federal Rules of Civil Procedure provides that “[i]f actions before the court involve a common question of law or fact, the court may: (1) join for hearing or trial any or all matters at issue in the actions; (2) consolidate the actions; or (3) issue any other orders to avoid unnecessary cost or delay.”

<sup>2</sup> This matter is currently set for trial on September 9, 2009 at 10:00 a.m.