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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 DIEGO M. RODRIQUEZ,

7 Plaintiff,

8 v.

9 MICHAEL J. ASTRUE, Commissioner of
10 Social Security

11 Defendant.

Case No. C09-5241BHS-KLS

ORDER REGARDING PLAINTIFF'S
MULTIPLE MOTIONS

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16 This matter comes before the Court on plaintiff's filing of two motions to demand this
17 case be assigned to a district judge (Dkt. #7, #10) and two motions for *mandamus* relief (Dkt. #8-
18 #9). After reviewing those motions and the remaining record, the Court hereby finds and orders
19 as follows:
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21 On April 23, 2009, plaintiff filed a motion for *mandamus* relief, apparently in place of or
22 substitution for a civil complaint. (Dkt. #1). The two current motions for *mandamus* relief were
23 filed with the Court on May 1, 2009, and appear to consist solely of a cover page requesting such
24 relief and citing to 28 U.S.C. § 1361, but little else. (Dkt. #8-#9). Given that these "motions" do
25 not contain any factual basis or argument in support thereof, and that plaintiff already has filed a
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ORDER - 1

1 motion for *mandamus* relief to initiate this proceeding, both motions (Dkt. #8-#9) hereby are
2 DENIED.

3 In regard to the two current motions to demand this case be assigned to a district judge,
4 which were filed on May 1, 2009, as well, plaintiff already filed a motion making such a request
5 in this matter (Dkt. #4), which the Court previously denied (Dkt. #5) on that same day. As such,
6 those motions are both moot and duplicative, and accordingly they (Dkt. #7, #10) hereby also are
7 DENIED.
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9 The Clerk is directed to send a copy of this Order to counsel for plaintiff.

10 DATED this 28th day of May, 2009.

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14 Karen L. Strombom
15 United States Magistrate Judge
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