

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MILTON WILLIAMS, JR.,

Plaintiff,

v.

EUGENE WALKER, GUY PIERCE,
M.R. PULLEY, MAGGIE BRIAN,
MARTY FANNIN, ROSALINA
GONZALES, C/O HATTEN, HEALTH
PROFESSIONALS LIMITED, IDOC,
and LAWRENCE CORRECTIONAL
CENTER,

Defendants.

Civil No. **04-613-WDS**

ORDER

PROUD, Magistrate Judge:

Before the Court is plaintiff's Motion to Consolidate. (**Doc. 33**). Defendants Walker and Pierce have filed a response. (**Doc. 35**).

Plaintiff is an inmate in the IDOC. He seeks to consolidate this case with another civil case filed by him, *Williams v. Pinckneyville Correctional Center*, case number 05-860-MJR. He asks that the cases be consolidated pursuant to **28 U.S.C. ¶1407**. That statute concerns multidistrict litigation, and is obviously inapplicable here.

Fed.R.Civ.P. 42 provides for consolidation of actions pending in the same district where they involve "a common question of law or fact." However, consolidation is not appropriate here. First, case number 05-860-MJR has not yet passed threshold review. Secondly, the two cases do not appear to involve common questions, as they arise out of events at different institutions. Case number 05-860 concerns events at Pinckneyville Correctional Center, while case number 04-613-WDS concerns events at Lawrence Correctional Center.

Upon consideration and for good cause shown, plaintiff's Motion to Consolidate
(Doc. 33) is DENIED.

IT IS SO ORDERED.

DATED: May 16, 2006.

s/ Clifford J. Proud
CLIFFORD J. PROUD
U.S. MAGISTRATE JUDGE