

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JULIO TRUJILLO SANTOYO,	§	No. 5:17-CV-54-DAE
	§	
Plaintiff,	§	
	§	
vs.	§	
	§	
UNITED STATES OF AMERICA,	§	
	§	
Defendant.	§	

ORDER GRANTING JOINT MOTION FOR CONSOLIDATION

Before the Court is a Joint Motion to Consolidate Cases filed by Julio Trujillo Santoyo (“Trujillo”) and the United States of America seeking to consolidate this case with ongoing litigation in Trujillo v. Bexar County, Texas, et al., 5:16-CV-855-OLG (“Bexar County litigation”). (Dkt. # 3.) The parties assert that the legal and factual issues are similar to those issues pending against the federal defendants in the Bexar County litigation. (Id. at 1.)

Federal Rule of Civil Procedure 42(a) provides that if actions “involve a common question of law or fact,” the court may “consolidate the actions” or “issue any other order to avoid unnecessary cost or delay.” Fed. R. Civ. P. 42(a). The decision to consolidate actions under Rule 42(a) is “entirely within the discretion of the district court as it seeks to promote the administration of justice.” Gentry v. Smith, 487 F.2d 571, 581 (5th Cir. 1973).

The Court has reviewed the pleadings in each case and finds that the cases involve common questions of law and fact as both cases stem from the alleged unlawful detention of Trujillo in the Bexar County Adult Detention Center, from approximately March 24, 2016, until June 7, 2016. The Court therefore **ORDERS** that the cases be consolidated to avoid unnecessary cost or delay and promote the administration of justice. As the first-filed case, the Court designates 5:16-CV-855-OLG as the lead case and directs the parties to make any subsequent filings in the lead case.

IT IS SO ORDERED.

DATED: San Antonio, Texas, March 24, 2017.

A handwritten signature in black ink, appearing to read 'David Alan Ezra', is written over a horizontal line.

David Alan Ezra
Senior United States District Judge