

22-16409

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Exhibits of Evidence
22-6532

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 9 2022

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ALFRED E. CARAFFA,

No. 22-16409

Plaintiff-Appellant,

D.C. No.

v.

2:20-cv-01435-MTL-ESW

UNITED STATES OF AMERICA; et al.,

District of Arizona,
Phoenix

Defendants-Appellees.

ORDER

Before: TASHIMA, S.R. THOMAS, and CLIFTON, Circuit Judges.

To the extent appellant's September 12, 2022 notice of appeal challenges the district court's post-judgment orders denying appellant's motions to combine closed district court cases, we conclude this appeal is frivolous. We therefore dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

To the extent appellant's September 12, 2022 notice of appeal challenges the district court's judgment entered in this action on July 24, 2020, the appeal is duplicative of closed appeal No. 20-16723.

Consequently, this appeal is dismissed.

All other pending motions are denied as moot.

No further filings will be entertained in this closed case.

DISMISSED.

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MDR

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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9 Alfred E. Caraffa, No. CV 20-00227-PHX-MTL (ESW)

10 Plaintiff,

11 v.

12 Maricopa County Sheriff's Office, et al.,

13 Defendants.

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16 Pending before the Court is Plaintiff's Motion to Combine Into One Civil
17 Action (Doc. 22),¹ in which Plaintiff seeks to combine this closed action with fourteen
18 other closed actions and a pending habeas corpus action.² The Court will deny the Motion
19 to Combine; there is no basis for combining closed and pending actions.

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25 ¹ Plaintiff lists CV 22-00813-PHX-MTL (ESW) in the "Case No." section of the
caption of the Motion to Combine. Pursuant to Local Rule of Civil Procedure 42.1(b), the
26 Clerk of Court filed the Motion in "each affected case identified in the motion." The
Motion was decided in this action because "the motion will be heard and decided . . . in the
27 case with the lowest case number that is assigned to a District Judge. *Id.*

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² One of the actions to which Plaintiff refers, "2:20-CV-00039-PHX-MTL (ESW),"
is incorrect. That action is not one of the many actions Plaintiff filed and was not assigned
to the undersigned or Magistrate Judge Willett.

1 **IT IS ORDERED:**

2 (1) Plaintiff's Motion to Combine Into One Civil Action (Doc. 22) is **denied**.
3 (2) This action must remain **closed**.

4 Dated this 10th day of August, 2022.

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6 Michael T. Liburdi

7 Michael T. Liburdi
8 United States District Judge

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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 Alfred Eric Caraffa,
10 Plaintiff,
11 v.
12 United States of America, et al.,
13 Defendants.
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NO. CV-20-01435-PHX-MTL (ESW)
JUDGMENT OF DISMISSAL IN A
CIVIL CASE

15 **Decision by Court.** This action came for consideration before the Court. The
16 issues have been considered and a decision has been rendered.

17 IT IS ORDERED AND ADJUDGED that pursuant to the Court's Order filed July
18 24, 2020, Plaintiff's Complaint and this action are dismissed without prejudice pursuant
19 to 28 U.S.C. § 1915(g).

20 Debra D. Lucas
21 Acting District Court Executive/Clerk of Court

22 July 24, 2020

23 By s/ W. Poth
24 Deputy Clerk

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