

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

SCOTT R. PALMENTA,
Plaintiff,

v.

JEFFREY COVELLO,
Defendant.

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No. 3:18-cv-838 (SRU)

SCOTT R. PALMENTA,
Plaintiff,

v.

JEFFREY COVELLO,
Defendant.

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No. 3:18-cv-1372 (SRU)

ORDER OF CONSOLIDATION

The plaintiff in the above captioned cases, Scott R. Palmenta, has filed two *pro se* civil actions against New Milford Police Department Lieutenant Jeffrey Covello. The first case, *Palmenta v. Covello*, No. 3:18-cv-838, was filed in this court pursuant to 42 U.S.C. § 1983. The second case, *Palmenta v. Covello*, No. 3:18-cv-1372, was initially filed in state court but then removed to this court. Both cases allege claims of false arrest and unlawful seizure under the Fourth Amendment against Covello stemming from a May 13, 2016 issue with Covello, and Palmenta's subsequent arrest on May 22, 2016. I permitted those claims to proceed in *Palmenta*, No. 3:18-cv-838. *See* Initial Review Order [Doc.#21].

Palmenta's claims in both cases are sufficiently similar to justify consolidation into a single action. Therefore, the Clerk is directed to consolidate the above-captioned cases into the

first case, No. 3:18-cv-838, and then close the second case, No. 3:18-cv-1372. The parties are directed to file any future pleadings in the lead case, No. 3:18-cv-838.

Palmenta is hereby directed to file an amended complaint in No. 3:18-cv-838 **within thirty (30) days from the date of this Order** encompassing all claims against Covello stemming from the May 2016 arrest, which he previously alleged in both the 838 and 1372 cases. The amended complaint may not state any claims previously dismissed or add any defendants previously dismissed. Covello will have twenty-one (21) days from the filing of the amended complaint to submit his response, either an answer or motion to dismiss. **Failure to file the amended complaint within thirty (30) days from the date of this Order may result in dismissal of all claims with prejudice.**

So ordered.

Dated at Bridgeport, Connecticut, this 20th day of September 2018.

/s/ STEFAN R. UNDERHILL
Stefan R. Underhill
United States District Judge