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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JASON LATRELL THOMAS,

CASE NO. 1:10-cv-00006-AWI-SKO PC

Plaintiff,

ORDER STRIKING DUPLICATIVE MOTION  
TO COMPEL, AND REQUIRING  
DEFENDANTS TO RE-SERVE OPPOSITION  
AND FILE AMENDED CERTIFICATE OF  
SERVICE WITHIN TEN DAYS

v.

M. WILBER, et al.,

Defendants.

(Doc. 53)

Plaintiff Jason Latrell Thomas, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 4, 2010. On September 4, 2012, Plaintiff filed a duplicative motion to compel, which he represents cures a deficiency with his original motion to compel as it relates to service by mail and the number of copies provided.

Plaintiff filed a motion to compel filed on July 2, 2012, and Defendants filed an opposition on July 20, 2012. It is unnecessary for Plaintiff to file a duplicative motion to compel, as there are no procedural deficiencies to be cured regarding service or the number of copies provided. However, the Court notes that Plaintiff filed a notice of change of address to CSP-Sacramento on July 16, 2012, but Defendants served their opposition on Plaintiff at his previous institution.

Accordingly, Plaintiff's duplicative motion to compel is HEREBY STRICKEN from the record; and within **ten (10) days** from the date of service of this order, Defendants SHALL re-serve

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1 their opposition on Plaintiff at his current address and file an amended certificate of service with the  
2 Court.

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IT IS SO ORDERED.

**Dated:** September 5, 2012

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE