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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT GRIFFIN,
Plaintiff,

CASE NO. 1:09-cv-1782-AWI-MJS (PC)
1:10-cv-297-MJS (PC)

v.

ORDER TO SHOW CAUSE AS TO WHICH OF
TWO CASES SHALL PROCEED

KERN MEDICAL CENTER et al.,
Defendants.

PLAINTIFF'S RESPONSE DUE 7/15/2010

_____ /

Plaintiff Robert Griffin ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in these civil rights action pursuant to 42 U.S.C. § 1983. The Court's review of two cases on its docket, numbers 1:09-cv-1782-AWI-MJS (PC) and 1:10-cv-297-MJS (PC), leads it to believe that the cases are duplicative. Both are brought against Kern Medical Center and allege that Plaintiff received constitutionally deficient care at Kern Medical Center. The only difference between the cases appears to be that Plaintiff added the Lerdo County Jail as a defendant to the later filed case.

The Court will not allow Plaintiff to pursue the same claims in two different actions. Accordingly, Plaintiff is ORDERED to notify the Court not later than **July 15, 2010** as to which case he would like to pursue. Failure to comply with this deadline may result in the dismissal of both actions.

IT IS SO ORDERED.

Dated: June 12, 2010

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE