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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

EFREN BULLARD,

Plaintiff,

v.

J. BEMROSE, et al.,

Defendants.

CASE NO. 1:10-cv-00959-AWI-SMS PC

ORDER DISMISSING THIS ACTION AS  
OPENED IN ERROR, AND DIRECTING  
CLERK'S OFFICE TO CLOSE CASE

(Doc. 1)

On May 26, 2010, a civil rights action was transferred to this court from the Northern District of California. The action was initially opened in the Northern District on May 18, 2010, following the receipt of a motion filed by Plaintiff Efren Bullard. The action was transferred to this court because Plaintiff complained in the motion about his inability to access his legal material following his transfer to the California Correctional Institution in Tehachapi, which is located in this jurisdiction. No complaint was filed.

The Court has reviewed the motion, and finds that it was intended for filing in case number 3:09-cv-04772-RS *Bullard v. Bemrose, et al.*, which is open and pending in the Northern District. The motion was not intended by Plaintiff to be a complaint initiating a new action. Therefore, this action is DISMISSED on the ground that it was opened in error, and the Clerk's Office shall close the case.

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1           If Plaintiff still wishes to seek the relief at issue in his motion, he must re-file it in the  
2 Northern District, and include **case number 3:09-cv-04772-RS** in the caption to ensure the motion  
3 is filed in his pending case.

4  
5 IT IS SO ORDERED.

6 **Dated: June 14, 2010**

/s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE