

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

CHARLES T. DAVIS,

CASE NO. 1:10-cv-01199-SMS PC

Plaintiff,

ORDER DIRECTING THE CLERK'S OFFICE  
TO FILE PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION IN CASE  
1:10:01184-LJO-GBC PC

v.

CLARK J. KELSO, et al.,

(ECF No. 6)

Defendants.

\_\_\_\_\_ /

Plaintiff Charles T. Davis ("Plaintiff") is a state prisoner who proceeded pro se in this civil rights action pursuant to 42 U.S.C. § 1983. The complaint was screened and this action was found to be duplicative of case 1:10-cv-01184-LJO-GBC. An order was issued on July 8, 2010, closing this action and judgment was entered. On October 4, 2010, Plaintiff filed a motion for preliminary injunction that was captioned Davis v. Kelso, and had an incorrect case number (1:10-cv-00118-LJO-GBC). (ECF No. 6.) The Clerk of the Court docketed the motion in this action. On April 29, 2011, an order issued striking Plaintiff's motion as this action was closed. (ECF No. 7.) On May 11, 2011, Plaintiff filed an objection requesting to correct the error of the court. (ECF No. 8.) In his objection Plaintiff states that the motion for a preliminary injunction was to be filed in Davis v. Kelso, 1:10-cv-01184-LJO-GBC. Plaintiff is advised that to avoid confusion in the future he should verify that he has written the correct case number on his pleadings.

///  
///  
///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, it is HEREBY ORDERED that:

1. The Clerk of the Court shall correct the case number on the motion filed October 4, 2010, in this action to 1:10-cv-01184-LJO-GBC-PC;
2. The motion filed October 4, 2010 shall be docketed in case 1:10-cv-01184-LJO-GBC-PC; and
3. A copy of this order shall be docketed in case 1:10-cv-01184-LJO-GBC-PC.

IT IS SO ORDERED.

**Dated: May 13, 2011**

**/s/ Sandra M. Snyder**  
UNITED STATES MAGISTRATE JUDGE