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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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| GREGORY MCCLELLAN, | CASE NO. 1:11-cv-01023-OWW-GBC |
| Plaintiff, | ORDER DISMISSING ACTION AS DUPLICATIVE |
| v. | (ECF No. 1) |
| DONNY YOUNGBLOOD, et al., | CLERK TO CLOSE CASE |
| Defendants. | |

_____ /

ORDER

Plaintiff Gregory McClellan is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On June 20, 2011 Plaintiff filed this action.

Upon review of this case, this Court has concluded that the complaint submitted on June 20, 2011 is substantively identical to Plaintiff's complaint in case 1:10-cv-01452-AWI-GBC filed on August 12, 2010. Certain claims from the August 12, 2010 complaint were dismissed because they were found to be substantively similar to Plaintiff's complaint filed February 9, 2010 and Plaintiff's amended complaint filed on August 25, 2010 in the case 1:10-cv-00208-MJS.¹ In light of the duplicative nature of the instant action to several other previously filed actions, the Court finds that the instant action should be dismissed as duplicative.

¹ The Court also notes that Plaintiff's complaint in this case is also substantively similar to case 1:10-00386-LJO-MJS filed March 4, 2010.

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Accordingly, the Court ORDERS that:

- 1. Action is DISMISSED as duplicative;
- 2. All pending motions in this action are DISMISSED as moot; and
- 3. Clerk of Court is DIRECTED to CLOSE THE CASE.

IT IS SO ORDERED.

Dated: June 27, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE