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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MIKE BAKER,
Plaintiff,
v.
S. CACOA, et al.,
Defendants.

Case No. 1:15-cv-00728 AWI DLB PC
ORDER DISMISSING ACTION AS
DUPLICATIVE OF 1:15-cv-00693-BAM-PC
AND VACATING ORDER DIRECTING
CDCR TO COLLECT PAYMENTS FOR
FILING FEE
[ECF No. 6]

Plaintiff Mike Baker, a state prisoner proceeding pro se, filed this civil action on May 12, 2015.

On July 2, 2015, Plaintiff notified the Court of the existence of two cases. Plaintiff explained that he only submitted one complaint but two cases have been opened: the instant case and 1:15-cv-00693-BAM-PC. The Court has reviewed the complaint in 1:15-cv-693-BAM-PC, and indeed, the complaints are identical.

The instant case, having been filed in error after the first case, must be dismissed as duplicative. Under the circumstances, as the second action was opened in error, the Court will vacate the May 14, 2015, order requiring CDCR to collect payments for this action.

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ORDER

Accordingly, IT IS HEREBY ORDERED that:

1. This action is DISMISSED as duplicative;¹
2. The order requiring CDCR to collect payments for this action is VACATED; and
3. The Clerk shall CLOSE this case.

IT IS SO ORDERED.

Dated: July 10, 2015



SENIOR DISTRICT JUDGE

¹ The dismissal and closure of this case is administrative in nature and has no effect on Case No. :15-cv-693-BAM-PC.