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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CRAIG SIMONSON,  
  
                                Plaintiff,  
  
                                v.  
  
STANISLAUS COUNTY SHERIFF'S  
DEPARTMENT, et al.,  
  
                                Defendants.

**Case No. 1:16-cv-00290-LJO-MJS (PC)**  
  
**ORDER DISMISSING ACTION AS  
DUPLICATIVE**  
  
**CLERK TO CLOSE CASE AND  
TERMINATE ALL PENDING MOTIONS**

Plaintiff is a county jail inmate proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. He has declined Magistrate Judge jurisdiction. (ECF No. 15.) No other parties have appeared.

Plaintiff initiated this action on February 12, 2016 against Defendants Singh, Wigt, and the Stanislaus County Sheriff's Department. (ECF No. 1.) On initial review of Plaintiff's complaint, the Court found that the claims raised therein were identical to those alleged in a suit filed by Plaintiff on January 27, 2016 under the case name Simonson v. Singh, Case No. 1:16-cv-00126-LJO-MJS. (ECF No. 18.) Consequently, on November 28, 2016 the Court issued an order for Plaintiff to show cause within fourteen days why the instant case should not be dismissed as duplicative of Simonson v. Singh. (ECF No.

1 20.) The fourteen day deadline has passed and Plaintiff has not responded.

2 Accordingly, IT IS HEREBY ORDERED THAT:

- 3 1. This action is DISMISSED with prejudice as duplicative of Eastern District  
4 Case Simonson v. Singh, Case No. 1:16-cv-00126-LJO-MJS;
- 5 2. Dismissal shall count as a strike pursuant to the “three strikes” provision of 28  
6 U.S.C. § 1915(g); and
- 7 3. The Clerk of Court shall terminate all pending motions and close this case.

8 IT IS SO ORDERED.

9 Dated: December 30, 2016

10 /s/ Lawrence J. O’Neill  
11 UNITED STATES CHIEF DISTRICT JUDGE

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