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

JAMES CRAMBLIT,)	Case No.: 1:17-cv-00116-SAB (PC)
)	
Plaintiff,)	
)	ORDER DISMISSING ACTION AS
v.)	DUPLICATION OF CASE NUMBER 1:17-CV-
)	00058 SAB PC, <u>CRAMBLIT V. CDCR, ET AL.</u> ,
CALIFORNIA DEPARTMENT OF)	AND DIRECTING CLERK OF COURT TO FILE
CORRECTIONS AND REHABILITATION,)	THE COMPLAINT FROM THIS ACTION AS
et al.,)	AMENDED COMPLAINT IN CASE NUMBER
)	1:17-CV-00058 SAB PC
Defendants.)	
)	[ECF No. 1]
)	

Plaintiff James Cramblit is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(c), Plaintiff consented to the jurisdiction of the United States Magistrate Judge on February 6, 2017. Local Rule 302.

On January 17, 2017, in case number 1:17-cv-00058 SAB PC, Cramblit v. California Dep't of Corrections and Rehabilitation, the Court issued an order striking the complaint for lack of Plaintiff's signature, and directed Plaintiff to file a signed complaint within thirty days. (1:17-cv-00058 SAB PC, ECF No. 12.) The thirty days has expired and no amended complaint was filed in that action.

However, the instant action was filed and opened on January 25, 2017.

The Court has reviewed the complaints in both actions and finds that both involve the same cause of action, and the complaint filed in this action was intended to be filed as an amended complaint in case number 1:17-cv-00058 SAB PC. Therefore, this action was opened in error due to

1 Plaintiff's failure to write his case number on what was intended to be an amended complaint in 1:17-
2 cv-00058 SAB PC.

3 Accordingly, it is HEREBY ORDERED that:

- 4 1. This action is dismissed as duplicative of case number 1:17-cv-00058 SAB PC,
5 Cramblit v. California Dep't of Corrections and Rehabilitation; and
- 6 2. The Clerk of Court is directed to file the complaint from this action (ECF No. 1), as an
7 amended complaint in case number 1:17-cv-00058 SAB PC; and
- 8 3. The Clerk of Court is directly to administratively close this action.

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11 IT IS SO ORDERED.

12 Dated: February 17, 2017



UNITED STATES MAGISTRATE JUDGE

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