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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHADERICK A. INGRAM,

Plaintiff,

No. CIV S-12-1089 JAM CKD PS

vs.

CITY OF SACRAMENTO, et al.,

Defendants.

ORDER AND

FINDINGS AND RECOMMENDATIONS

_____ /

This action was removed to this court on April 25, 2012. (Dkt. No. 1.) Plaintiff is proceeding pro se in this action, which was referred to this court by E.D. Cal. L.R. 302(c)(21).

In this action, plaintiff alleges claims under 42 U.S.C. § 1983 against the City of Sacramento; County Medically Indigent Services Program; Motel 6; Social Security Administration; Economy Inn; and the United States of America. However, this complaint is identical to the complaint filed on April 4, 2012 in Ingram v. City of Sacramento, CIV S-12-0864 KJM GGH, Dkt. No. 1. In fact, the April 4, 2012 complaint from the previous case contains the same case caption and “filed” stamp from the Sacramento County Superior Court as the complaint in this case, suggesting that plaintiff merely filed the same complaint in both courts, with the instant state court case subsequently having been removed to this court.

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1 This action is therefore duplicative of plaintiff's previously filed action, which is
2 still pending. The court will therefore recommend that this action be dismissed as duplicative.

3 Accordingly IT IS HEREBY ORDERED that:

- 4 1. The status/scheduling conference set for September 26, 2012 is vacated;
5 2. This action is stayed pending the district judge's review of these findings and
6 recommendations; and

7 IT IS HEREBY RECOMMENDED that this action be dismissed as duplicative.

8 These findings and recommendations are submitted to the United States District
9 Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within
10 fourteen (14) days after being served with these findings and recommendations, any party may
11 file written objections with the court and serve a copy on all parties. Such a document should be
12 captioned "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the
13 objections shall be served and filed within seven (7) days after service of the objections. The
14 parties are advised that failure to file objections within the specified time may waive the right to
15 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

16 Dated: April 27, 2012

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18 CAROLYN K. DELANEY
19 UNITED STATES MAGISTRATE JUDGE

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