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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD DEWAYNE BASSETT,  
Plaintiff,  
v.  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION,  
Defendant.

No. 2:15-cv-2056 AC P

ORDER

On September 30, 2015, plaintiff, a state prisoner at California State Prison-Sacramento, filed a letter addressed to the Clerk of Court. See ECF No. 1. Plaintiff has submitted no other matters in this case. In order to commence an action in this court, plaintiff must file a complaint, see Fed. R. Civ. P. 3, and pay the required filing fee or seek and obtain in forma pauperis status, see 28 U.S.C. §§ 1914(a), 1915(a). The court may not issue any orders granting or denying relief until an action has been properly commenced.

Review of the court’s docket<sup>1</sup> indicates that on October 1, 2015, plaintiff filed both a


<sup>1</sup> This court may take judicial notice of its own records. See United States v. Howard, 381 F.3d 873, 876 n.1 (9th Cir. 2004); United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980); see also Fed. R. Evid. 201 (court may take judicial notice of facts that are capable of accurate determination by sources whose accuracy cannot reasonably be questioned).

1 complaint and motion for temporary restraining order in Case No. 2:15-cv-02064 EFB P.  
2 Comparison of the allegations in that case with the allegations in plaintiff's instant letter indicates  
3 that they address nearly identical matters; it appears that the instant letter should have been filed  
4 together with plaintiff's other filings. On October 7, 2015, in Case No. 2:15-cv-02064 EFB P, the  
5 court directed plaintiff to pay the filing fee or submit an application to proceed in forma pauperis  
6 in order to proceed in that case.

7 Due to the duplicative nature of the present action, IT IS HEREBY ORDERED that the  
8 Clerk of Court shall:

- 9 1. Designate plaintiff's filing in the instant case, ECF No. 1, as a "Letter to the Clerk of  
10 Court;"
- 11 2. File a copy of the subject letter in Case No. 2:15-cv-02064 EFB P; and
- 12 3. Close the instant case.

13 DATED: October 15, 2015

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15 ALLISON CLAIRE  
16 UNITED STATES MAGISTRATE JUDGE  
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