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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ODDIS VERMONT COLE,
Plaintiff,
v.
F. GUILLEN, et al.,
Defendants.

No. 2:15-cv-2095 KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se. Plaintiff consented to proceed before the undersigned (ECF No. 1 at 4) for all purposes. See 28 U.S.C. § 636(c). Plaintiff’s four page complaint was signed on July 15, 2015, and filed in the Northern District of California on July 27, 2015. The court’s own records reveal that on June 17, 2015, plaintiff signed a four page complaint, filed in the Northern District on June 29, 2015, containing virtually identical allegations. (Case No. 2:15-cv-1613 GEB DAD).¹ Both cases were subsequently transferred to the Eastern District. Due to the duplicative nature of the present action, the court will dismiss the

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¹ A court may take judicial notice of court records. See MGIC Indem. Co. v. Weisman, 803 F.2d 500, 505 (9th Cir. 1986); United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980).

1 complaint. Accordingly, IT IS HEREBY ORDERED that this action is dismissed without
2 prejudice. See Fed. R. Civ. P. 41(b).

3 Dated: October 20, 2015

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6 KENDALL J. NEWMAN
7 UNITED STATES MAGISTRATE JUDGE

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