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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WALTER LANGSTON,  
Plaintiff,  
v.  
WARDEN ROBERT A. FOX, et al.,  
Defendants.

No. 2:16-cv-1912 KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se. On August 19, 2016, the undersigned recommended that this action be dismissed as duplicative of plaintiff's complaint in case No. 2:15-cv-1500 CMK. On August 25, 2016, plaintiff consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). On September 1, 2016, plaintiff did not file objections, but filed a request to explain the delay in Case No. 2:15-cv-1500 CMK. Plaintiff's request was filed in both this case and Case No. 2:15-cv-1500 CMK, and plaintiff's request is more appropriately addressed in Case No. 2:15-cv-1500 CMK.

Accordingly, IT IS HEREBY ORDERED that:

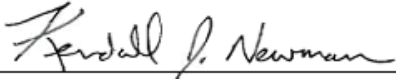
1. The Clerk of the Court shall remove the district judge assignment;
2. The undersigned adopts the August 19, 2016 findings (ECF No. 4); and

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3. This action is dismissed without prejudice. See Fed. R. Civ. P. 41(b).

Dated: September 8, 2016

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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