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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

OBIE L. CRISP, III,  
Plaintiff,  
v.  
J. BARRETTO, et al.,  
Defendants.

No. 2:17-cv-1572-EFB P

ORDER

This action was opened with plaintiff’s filing of a complaint, dated July 10, 2017. ECF No. 1. Apart from the date, the complaint is identical to a complaint plaintiff previously filed on June 20, 2017, in another action he is litigating. See *Crisp v. Barretto*, No. 2:17-cv-0580-JAM-DB, ECF No. 10. After the June 20, 2017 complaint was docketed as a “first amended complaint” in the prior action, plaintiff explained that he did not intend to amend his complaint, but to commence an entirely new, but related, action. *Id.*, ECF No. 12. Accordingly, the magistrate judge assigned to *Crisp v. Barretto*, No. 2:17-cv-0580-JAM-DB, ordered the Clerk of the Court to strike the “first amended complaint,” open a new case with the filing, and assign the new case to the same magistrate judge and district judge. *Id.*, ECF No. 13. The instant action is now duplicative of that new action, designated *Crisp v. Barretto*, No. 2:17-cv-1577-JAM-DB, and plaintiff shall proceed with his complaint in that action.

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Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to close this action.

DATED: August 31, 2017.



EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE