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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASON HOLLENBECK,
Plaintiff,
v.
YOLO COUNTY,
Defendant.

No. 2:18-cv-1576 KJN P

ORDER AND FINDINGS AND
RECOMMENDATIONS

Plaintiff is a state prisoner, proceeding pro se. Plaintiff’s complaint was filed with the court on May 30, 2018. The court’s own records reveal that on May 22, 2018, plaintiff filed a complaint containing virtually identical allegations. Hollenbeck v. Yolo County, No. 2:18-cv-1317 DB (E.D. Cal.).¹ Due to the duplicative nature of the present action, the court will recommend that the complaint be dismissed.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS RECOMMENDED that this action be dismissed without prejudice. See Fed. R. Civ. P. 41(b).

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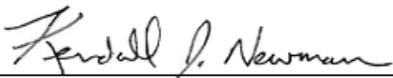
¹ A court may take judicial notice of court records. See MGIC Indem. Co. v. Weisman, 803 F.2d 500, 505 (9th Cir. 1986); United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980).

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These findings and recommendations are submitted to the District Judge assigned to this case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: July 12, 2018

/cw/holl1576.23


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE