1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 DANIEL HARPER, No. 2:24-cv-1343 TLN AC P 12 Plaintiff, 13 **ORDER** v. 14 B. POWELL, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner proceeding pro se, has filed a motion for clarification in which he 18 states that he has been given two case numbers for the same case and would like to know which 19 case number to use. ECF No. 13. 20 This action was initiated in the Fresno Division of this court and later transferred to the 21 Sacramento Division, where it was assigned the case number 2:24-cv-1343 TLN AC. ECF No. 22 10. Before the case was transferred, plaintiff re-filed his complaint in the Sacramento Division, 23 where it was opened as a new case and assigned case number 2:24-cv-1279 TLN DB. There are currently findings and recommendations pending in 2:24-cv-1279 TLN DB recommending that 24 25 that case be closed as duplicative of this action. If the findings and recommendations are adopted 26 //// //// 27 //// 28 1

by the district judge, then case number 2:24-cv-1279 TLN DB will be closed and only this action will remain pending.¹ Plaintiff is further advised that there are currently findings and recommendations pending in this action that recommend denial of his motion for leave to proceed in forma pauperis. ECF No. 12. If plaintiff wants to object to those findings and recommendations, he will need to file those objections in this action (2:24-cv-1343 TLN AC). Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for clarification (ECF No. 13) is GRANTED to the extent clarification has been provided above. DATED: May 31, 2024 UNITED STATES MAGISTRATE JUDGE ¹ If plaintiff would like to object to those findings and recommendations, he will need to file

objections in case number 2:24-cv-1279 TLN DB. Plaintiff may also file a notice of voluntary dismissal in that case if he wishes.