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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DUNCAN J. McNEIL III,)	
)	
Plaintiff(s),)	No. C 06-0381 CRB (PR)
)	
v.)	ORDER OF DISMISSAL
)	
UNITED STATES, et al.,)	(Doc # 2)
)	
Defendant(s).)	
_____)	

Plaintiff, a prisoner at the Spokane County Jail in Spokane, Washington, and frequent litigant throughout the federal courts, has filed a pro se “petition & request” for registration of foreign judgments rendered in another district, and “application” for execution and enforcement of registered judgments. Plaintiff raised the same allegations in a prior prisoner petition, which was dismissed on August 16, 2005. See McNeil v. United States, No. C 05-2538 CRB (PR) (N.D. Cal. Aug. 16, 2005) (order of dismissal).

A prisoner complaint or petition that merely repeats pending or previously litigated claims may be considered abusive and dismissed under the authority of 28 U.S.C. § 1915A. Cf. Cato v. United States, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995) (citing Bailey v. Johnson, 846 F.2d 1019, 1021 (5th Cir. 1988)) (duplicative in forma pauperis complaint may be considered abusive and dismissed under 28 U.S.C. § 1915). Because plaintiff raised and litigated the same allegations and claims raised herein in civil action number 05-2538, the instant petition is deemed duplicative and abusive under § 1915A.

1 Plaintiff's request to proceed in forma pauperis (doc # 2) is DENIED and
2 the petition is DISMISSED under the authority of 28 U.S.C. § 1915A(b).

3 The clerk shall enter judgment in accordance with this order and close the
4 file. No fee is due.

5 SO ORDERED.

6 DATED: January 30, 2006

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9 CHARLES R. BREYER
10 United States District Judge
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