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


SHAWN MONROE, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 SUE SOMERSET, et al, )  
 )  
 Defendants )  
 \_\_\_\_\_ )

No. C 09-5456 JSW (PR)  
**ORDER DISMISSING  
COMPLAINT; NO FEE IS  
DUE**

Plaintiff, a prisoner incarcerated at Ironwood State Prison in Blythe, California, filed a civil rights action pursuant to 42 U.S.C. § 1983. However, it appears that the complaint is duplicative of one that was filed under Case No. C-09-5445 JF (PR). Plaintiff promptly notified this Court that two identical actions had been commenced. Therefore, the instant case is DISMISSED as duplicative of Plaintiff's complaint in that case, currently pending before this Court. Because Plaintiff's complaint was apparently filed in error, no fee is due. The Clerk of Court shall enter judgment and close the file.

IT IS SO ORDERED.

DATED: December 16, 2009

  
\_\_\_\_\_  
JEFFREY S. WHITE  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 SHAWN MONROE,

6 Plaintiff,

7 v.

8 SUE SUMMERSET et al,

9 Defendant.  
10 \_\_\_\_\_

Case Number: CV09-05456 JSW

**CERTIFICATE OF SERVICE**

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
12 Court, Northern District of California.

13 That on December 16, 2009, I SERVED a true and correct copy(ies) of the attached, by placing  
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office  
16 delivery receptacle located in the Clerk's office.

17 Shawn Monroe  
18 Ironwood State Prison  
19 P94445  
20 Blythe, CA 92226

21 Dated: December 16, 2009

*Jennifer Ottolini*  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk

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