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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TERRY LEE RIDOUT,

No. C-11-2936 EMC (pr)

Plaintiff,

v.

**ORDER OF DISMISSAL**

G. ELLIS, C.E.O., *et al.*,

Defendants.

\_\_\_\_\_ /

This action was opened in error when the Court received from Plaintiff on different days the materials he had sent to commence a single action. He mailed a document entitled “adjacently-filed addendum in support of statement of claim” on June 7, 2011, which was filed on June 13, 2011, and resulted in Case No. C 11-2883 EMC being opened. He mailed a civil rights complaint in a separate envelope on June 8, 2011, which was filed on June 15, 2011, and resulted in this action (*i.e.*, Case No. C-11-2936 EMC) being opened. Plaintiff later informed the Court that he only intended to file a single action. He requested that one of the actions be dismissed and that he not be charged a filing fee for it. Accordingly, this action is dismissed because it was opened in error. No filing fee is due.

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The Clerk shall obtain a copy of the complaint from this action (*i.e.*, Docket # 1 in Case No. C-11-2936 EMC), cross out the case number on the first page, and file it in Case No. C-11-2883 EMC. The Clerk shall then close the file for Case No. C-11-2936 EMC.

IT IS SO ORDERED.

Dated: October 17, 2011

  
EDWARD M. CHEN  
United States District Judge