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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KEVIN LEE McCULLOM,  
Plaintiff,  
v.  
BARBARA PARKER, et. al.,  
Defendants.

Case No. [16-cv-1054-TEH](#)

ORDER OF DISMISSAL

Dkt. No. 5

Plaintiff has filed a pro se civil rights complaint under 42 U.S.C. § 1983. Plaintiff alleges that the several assistant district attorneys, public defenders and police officers are conspiring to frame Plaintiff in an ongoing prosecution against him. Court records indicate that Plaintiff previously filed another action with the same allegations. See McCullom v. O'Malley, Case No. 16-cv-0899 TEH. The instant case is DISMISSED as duplicative, see Adams v. Cal. Dept. of Health Services, 487 F.3d 684, 688 (9th Cir. 2007), and Plaintiff's allegations will be reviewed in the earlier filed complaint. The motion to proceed IFP (Dkt. No. 5) is DENIED and no fee is due.

IT IS SO ORDERED.

Dated: 04/14/2016



THELTON E. HENDERSON  
United States District Judge

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United States District Court  
Northern District of California