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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WALTER CORDELL,
Plaintiff,
v.
VU, et al.,
Defendants.

Case No. [17-cv-02397-JCS](#) (PR)

ORDER OF DISMISSAL

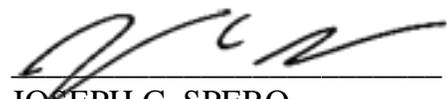
Dkt. Nos. 3 and 9

This federal civil rights action is **DISMISSED** because it is duplicative of another action (17-02396 JCS).¹ The Court issued an order in that other action dismissing that complaint with leave to file an amended complaint that contains the claims and defendants in both actions. The issues raised by plaintiff's motions for the appointment of counsel and for a preliminary injunction (Dkt. Nos. 3 and 9) were addressed in that order.

The Clerk shall terminate Dkt. Nos. 3 and 9, enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

Dated: July 11, 2017



JOSEPH C. SPERO
Chief Magistrate Judge

¹ Plaintiff consented to magistrate judge jurisdiction. (Dkt. No. 5.) The magistrate judge, then, has jurisdiction to issue this order, even though defendants have not been served or consented to magistrate judge jurisdiction. *See Neals v. Norwood*, 59 F.3d 530, 532 (5th Cir. 1995).

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Case No. [17-cv-02397-JCS](#)

CERTIFICATE OF SERVICE

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

That on July 11, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Walter Cordell ID: AA9701 (A-4-124)
Salinas Valley State Prison
P.O. Box 1050
Soledad, CA 93960

Dated: July 11, 2017

Susan Y. Soong
Clerk, United States District Court

By: Karen L. Hom
Karen Hom, Deputy Clerk to the
Honorable JOSEPH C. SPERO