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

In re RONALD LEE CANADA,

No. C 11-05565 SBA (PR)

ORDER OF DISMISSAL

On November 17, 2011, this action was opened when the Court received from Plaintiff a letter to Senior District Court Judge Lawrence K. Karlton of the United States District Court for the Eastern District of California expressing displeasure with the mental health care in the prison at which he is currently housed, California State Prison-Sacramento. The Clerk of the Court opened a case file, and sent out a notice that Plaintiff had not filed a complaint, and cautioned that the action would be dismissed if he did not submit a complaint within thirty days. The Clerk also sent out a notice that this action was deficient due to the failure to pay the filing fee or furnish a completed and signed Court-approved in forma pauperis application, and cautioned that the action would be dismissed if he did not pay the fee or file the application materials within thirty days. To date, Plaintiff has not responded to the Clerk's notices.

The Court notes that several similar actions involving Plaintiff have been filed in the past. In Case Nos. C 11-4888 SBA (PR) and C 11-4999 SBA (PR), Plaintiff filed letters stating that he did not intend to commence a new action but only to inform Judge Karlton and/or the "Coleman¹ Special Master's Team" of his mental health care concerns. (Docket no. 4 in Case No. C 11-4888 SBA (PR); Docket no. 5 in Case No. C 11-4999 SBA (PR).) The letters appear to apply to all past and future actions stemming from Plaintiff's letters to Judge Karlton and/or the "Coleman Special Master's Team," as Plaintiff filed nothing further in the instant action.

¹ Coleman v. Wilson, 912 F. Supp. 1282 (E.D. Cal. 1995), which involved a class of prisoner-plaintiffs with serious mental disorders, has been consolidated with another federal class action, Plata v. Schwarzenegger, No. C 01-01351 TEH (N.D. Cal. filed 2001).

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In light of Plaintiff's explanation that the letters he sent to Judge Karlton and/or the "Coleman Special Master's Team" in his previous actions were not intended to commence a new action, the instant action is DISMISSED because it was opened in error. No filing fee is due. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: 1/19/12


SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT JUDGE

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

5 RONALD LEE CANADA,
6
7 Plaintiff,

Case Number: CV11-05565 SBA

CERTIFICATE OF SERVICE

8 v.

9 JUDGE LAWRENCE K KARLTON et al,
10 Defendant.

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 January 23, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
16 receptacle located in the Clerk's office.

17 Ronald Lee Canada C-65757
18 California State Prison - Sacramento
19 New Folsom State Prison
20 P.O. Box 29-0066
21 Represa, CA 95671-0066

22 Dated: January 23, 2012

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk