

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIAM CECIL THORNTON,

No. C 11-06312 CW (PR)

Petitioner,

ORDER DISMISSING ACTION AS
DUPLICATIVE; DENYING AS MOOT
APPLICATION TO PROCEED IN FORMA
PAUPERIS

v.

RANDY GROUNDS,

(Docket no. 2)

Respondent.
_____ /

Petitioner, a state prisoner currently incarcerated at the Correctional Training Facility at Soledad (CTF), filed the instant petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging conditions of his parole that require him to register as a sex offender. Specifically, Petitioner, who currently is in custody because of a violation of parole terms set in connection with a conviction obtained in the San Diego County Superior Court, maintains that he should not be required to register as a sex offender because such requirement is based on an expired 1990 Tennessee conviction for domestic violence.

Petitioner previously raised the same challenge to the conditions of his parole in a prior petition filed in this Court. See Thornton v. Cate, Case No. C 11-05091 CW (PR). On October 27, 2011, the Court dismissed that petition as duplicative, because Petitioner is challenging the Tennessee conviction and the California sex-offender registration requirement in a case currently pending in the United States District Court for the Southern District of California. See Thornton v. Strainer, Case No. C 11-00190 LAB (JMA).

1 In the present petition, Petitioner provides no reason why
2 this Court should entertain a petition challenging the same parole
3 registration requirement that is under review in the petition
4 pending in the Southern District. Accordingly, this petition is
5 DISMISSED as duplicative.

6 Additionally, because Petitioner has been granted leave to
7 proceed in forma pauperis in the Southern District, his motion to
8 proceed in forma pauperis in this action is DENIED as moot. No
9 filing fee is due.

10 The Clerk of the Court shall enter judgment and close the
11 file.

12 This Order terminates Docket no. 2.

13 IT IS SO ORDERED.

14 Dated: 1/10/2012


CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

15
16
17
18
19
20
21
22
23
24
25
26
27
28