

E-filed 5/21/07

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NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANTONIO CANDELARIO, JR.,)	No. C 07-2470 JF (PR)
Plaintiff,)	ORDER CORRECTING
vs.)	ERRONEOUS FILING;
SALINAS VALLEY STATE PRISON,)	CLOSING CASE;
Defendants.)	INSTRUCTIONS TO CLERK

Plaintiff, a state prisoner proceeding pro se, filed this civil rights complaint pursuant to 42 U.S.C. § 1983 on May 8, 2007. Plaintiff filed an earlier civil rights complaint with this Court on February 14, 2007, case no. C 07-0934 JF (PR), which alleges the same claims against the same Defendants as the instant complaint. It appears the instant complaint was mistakenly received and opened as a new case in this action. Because the instant case was opened erroneously, the Clerk shall copy all documents in the instant case and transfer the documents to case no. C 07-0934 JF (PR). The Clerk shall terminate any pending motions and close the file. No filing fee is due.

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1 The Court will review Plaintiff's complaints in a separate written order in the earlier case,
2 C 07-0934 JF (PR).

3 IT IS SO ORDERED.

4 DATED: 5/18/07

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6 JEREMY FOGEL
7 United States District Judge

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1 A copy of this ruling was mailed to the following:

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Antonio Candelario, Jr.
T-11223
Salinas Valley State Prison
P.O. Box 1050
Soledad, CA 93960