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

DAVID M. DAVID,)	No. C 12-0062 LHK (PR)
)	
Plaintiff,)	INSTRUCTIONS TO THE
)	CLERK
v.)	
)	
UNKNOWN,)	
)	
Defendant.)	

On January 12, 2012, Plaintiff, proceeding *pro se*, filed a Rule 60(b)(3) motion. In his motion, he requested that the motion be filed in his previously closed case, *David v. Reno*, No. 95-4388 TEH, as a motion to reconsider. It appears this motion to reconsider is erroneously filed in the wrong action. Thus, the Clerk shall file Plaintiff's Rule 60(b)(3) motion (docket no. 5) in *David v. Reno*, No. 95-4388 TEH, and strike it from the underlying case of *David v. Unknown*, No. 12-0062 LHK.

IT IS SO ORDERED.

Dated: 1/23/12



 LUCY H. KOH
 United States District Judge