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NOV - 1 2011
Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JAMES MICHAEL PATOCK, SR.,

Plaintiff,

v.

FOX NEWS, *et al.*,

Defendants.

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Civil Action No.

11 1910

MEMORANDUM OPINION

Plaintiff's claims arise from his arrest by United States Park Police officers and media coverage of his case. It appears that plaintiff has filed a substantially similar complaint in the United States District Court for the Eastern District of Virginia, *see Patock v. Fox News, et al.*, No. 11-0974 (E.D. Va. filed Sept. 12, 2011), and the matter has not yet concluded. Although "no precise rule has evolved, the general principle is to avoid duplicative litigation" between federal district courts. *Colorado River Water Conservation Dist. v. United States*, 424 U.S. 800, 817 (1976) (citations omitted). "Considerations of comity and orderly administration of justice dictate that two courts of equal authority should not hear the same case simultaneously." *Washington Metro. Area Transit Auth. v. Ragonese*, 617 F.2d 828, 830 (D.C. Cir. 1980) (citation omitted). Accordingly, the Court will grant plaintiff's application to proceed *in forma pauperis*, and dismiss this action without prejudice. An Order consistent with this Memorandum is issued separately on this same date.

Annmarie M. O'Leary
United States District Judge

DATE: 10/18/11

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