

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KENT PURCHASE,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 12-740-GPM
)	
SHAWNEE COMMUNITY COLLEGE,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

MURPHY, District Judge:

This matter is before the Court *sua sponte* for the purpose of docket control. Court records show that Plaintiff, Kent Purchase, has filed two virtually identical lawsuits in the Southern District of Illinois. The first case, Case No. 12-266-WDS, was filed on March 27, 2012 and assigned to Judge William D. Stiehl. Plaintiff filed suit against Shawnee Community College for injunctive relief and damages claiming that he was wrongfully terminated from his job as a maintenance facilitator because of his race and because he filed a worker’s compensation claim. The instant matter was then filed on June 26, 2012 and assigned to the undersigned Judge. Plaintiff makes the same claims against the same Defendant, and seeks the same relief as in the first case. In fact, Plaintiff even filed the same amended complaint on the same day in both cases. *Compare* Case No. 12-740-GPM (Doc. 4) *with* Case No. 12-226-WDS (Doc. 9).

“As a general rule, a federal suit may be dismissed for reasons of wise judicial administration whenever it is duplicative of a parallel action already pending in [federal court].” *Serlin v. Arthur Andersen & Co.*, 3 F.3d 221, 223 (7th Cir. 1993) (internal citation omitted).

“Dismissal is appropriate where . . . the same party has filed both suits, and the claims and available relief do not significantly differ between the two actions.” *Wallis v. Fifth Third Bank*, 443 F. App'x 202, 205 (7th Cir. 2011), *citing Serlin*, 3 F.3d at 223. When duplicative claims are pending in multiple federal forums, the later filed actions generally give way to the first filed. *Warshawsky & Co. v. Arcata Nat. Corp.*, 552 F.2d 1257, 1265 (7th Cir. 1977).

It is clear that the instant matter is duplicative of Case No. 12-266-WDS. Furthermore, Case No. 12-226-WDS was filed first, and litigation is much further along than in the instant matter. In the first case, Defendant has been served and has entered its appearance; the Court has entertained and denied a motion to dismiss; a scheduling order was entered, and discovery and dispositive motions are due next month. In the instant matter, Defendant has yet to even be served. Therefore, the instant matter is **DISMISSED** without prejudice. The Clerk of Court is **DIRECTED** to close this case on the Court's docket.

IT IS SO ORDERED.

DATED: November 12, 2013

s/ G. Patrick Murphy
G. PATRICK MURPHY
United States District Judge