

MGG (N.D. Ind. filed November 19, 2017). “The district court has broad discretion to dismiss a complaint for reasons of wise judicial administration whenever it is duplicative of a parallel action already pending in another federal court.” *McReynolds v. Merrill Lynch & Co.*, 694 F.3d 873, 888 (7th Cir. 2012) (internal quotation marks omitted). “A suit is duplicative if the claims, parties, and available relief do not significantly differ between the two actions.” *Id.* at 889. Because Kuchel proceeds on a claim in this case that duplicates one he is already pursuing in another case, this case is dismissed. However, I recognize the possibility that, by filing this petition, Kuchel attempted to amend his petition in *Kuchel v. Warden*, 3:17-cv-871, rather than open a new case. Therefore, I will order that the filings in this case be transferred to *Kuchel v. Warden*, 3:17-cv-871.

ACCORDINGLY:

- (1) The petition (ECF 2) is DISMISSED pursuant to Section 2254 Habeas Corpus Rule 4 because it is duplicative;
- (2) Charles Kuchel is DENIED a certificate of appealability pursuant to Section 2254 Habeas Corpus Rule 11;
- (3) Charles Kuchel is DENIED leave to appeal in forma pauperis pursuant to 28 U.S.C. § 1915(a)(3);
- (4) The Clerk is DIRECTED to transfer the filings in this case to *Kuchel v. Warden*, 3:17-cv-871; and
- (5) The Clerk is DIRECTED to close this case.

SO ORDERED on January 29, 2018.

/s Philip P. Simon
Judge
United States District Court

