

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

CHRISTOPHER STEPHEN BECKMAN,)	
)	
Plaintiff,)	
)	
v.)	No. 2:20-cv-00608-JPH-MJD
)	
FRANK VANIHHEL,)	
)	
Defendant.)	

**Order Dismissing Action as Duplicative
and Denying Motion for Leave to Proceed *in Forma Pauperis* as Moot**

This action is **dismissed** because it is duplicative of *Beckman v. Vanihel*, case number 2:20-cv-00607-JPH-DLP, filed in this Court at the same time this action was filed. Both actions name the same defendant for policies at the same correctional facility alleged to impinge on the plaintiff's First Amendment rights. The first suit filed concerns a prison policy alleged to prevent inmates from purchasing items such as games from outside vendors, and this suit concerns a policy preventing inmates from purchasing photographs from outside vendors.

"[A] district court may dismiss a complaint if it duplicates another federal case, such as when the 'claims, parties, and available relief do not significantly differ between the two actions.'" *Northern v. Stroger*, 676 F. App'x 607, 608 (7th Cir. 2017) (quoting *McReynolds v. Merrill Lynch & Co, Inc.*, 694 F.3d 873, 888–89 (7th Cir. 2012)); *Trippe Mfg. Co. v. Am. Power Conversion Corp.*, 46 F.3d 624, 629 (7th Cir. 1995) (same); *Rizzo v. City of Wheaton, Ill.*, 462 F. App'x 609, 613 (7th Cir. 2011) (same).

Mr. Beckman may add the specific factual allegations from this suit to his earlier suit by filing an amended complaint within the time allowed for doing so. *See* Fed. R. Civ. P. 15(a).

The motion for leave to proceed *in forma pauperis*, dkt. [2], is **denied** as moot.

If Mr. Beckman believes these actions should not proceed as one, and that this action should have been allowed to proceed independently of 1:20-cv-00607-JPH-MJD, he must file a motion for reconsideration no later than twenty-eight days after entry of this Order. *See* Fed. R. Civ. P. 59(b).

Final judgment in accordance with this Order shall now enter.

SO ORDERED.

Date: 11/20/2020



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

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