

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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MICHAEL GRESHAM et al.,

Plaintiffs,

Case No. 1:10-cv-1233

v.

Honorable Paul L. Maloney

J. SMITH et al.,

Defendants.

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**ORDER**

This is a civil rights action brought by two state prisoners pursuant to 42 U.S.C. § 1983. The complaint, which was filed in Kalamazoo on December 13, 2010, appears to be a copy of a complaint filed in Grand Rapids on December 9, 2010. *See Gresham et al. v. Smith et al.*, No. 1:10-cv-1215 (W.D. Mich.). Because Plaintiffs' complaint is duplicative of the earlier filed case, the Court will dismiss the instant action without prejudice.

Dated: January 7, 2011

/s/ Paul L. Maloney  
Paul L. Maloney  
Chief United States District Judge