

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RODNEY JEROME DUKES,)	
)	
Plaintiff,)	
)	
v.)	No. 4:09CV1571 CEJ
)	
BUREAU OF ENGRAVING,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the motion of Rodney Dukes for leave to commence this action without prepayment of the filing fee pursuant to 28 U.S.C. § 1915. Upon consideration of the financial information provided with the motion, the Court finds that plaintiff is financially unable to pay any portion of the filing fee. As a result, plaintiff will be granted leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

The instant complaint is duplicative of a complaint the Court previously dismissed as frivolous. See Dukes v. Bureau of Engraving, 4:09CV1348 CEJ (E.D. Mo.). Therefore, the complaint will be dismissed as duplicative. E.g., Cooper v. Delo, 997 F.2d 376, 377 (8th Cir. 1993) (§ 1915(e) dismissal has res judicata effect on future in forma pauperis petitions).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. #2] is **granted**.

IT IS FURTHER ORDERED that the Clerk shall not issue process or cause process to issue upon the complaint because the complaint is legally frivolous or fails to state a claim upon which relief can be granted, or both.

IT IS FURTHER ORDERED that plaintiff's motion for appointment of counsel [Doc. #4] is **denied** as moot.

An appropriate Order of Dismissal shall accompany this Memorandum and Order.

Dated this 24th day of September, 2009.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE