

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

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|-----------------------------------|---|---------------------|
| DEMARCO G. HINKLE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:18-cv-295-JCH |
| |) | |
| ST. LOUIS METROPOLITAN POLICE and |) | |
| CARLTON MCGRAW, |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

This matter is before the Court upon review pursuant to 28 U.S.C. § 1915A. Plaintiff, a prisoner, filed the instant complaint in this Court on February 20, 2018 against the St. Louis Metropolitan Police Department and Carlton McGraw. Plaintiff alleges that, on February 15, 2015, he was injured in a car accident caused by the St. Louis Metropolitan Police Department. He seeks monetary damages.

On February 7, 2018, plaintiff filed a complaint in the United States District Court for the Western District of Missouri, alleging identical claims against the same two defendants and seeking monetary damages. On February 20, 2018, that case was transferred here on the basis of venue. *See Hinkle v. St. Louis Metropolitan Police and Carlton McGraw*, Case No. 4:18-cv-299 (E.D. Mo. 2018) (hereafter “*Hinkle I*”).

The instant complaint raises identical claims against the same parties plaintiff is suing in *Hinkle I*. This action will therefore be dismissed as duplicative of that pending action. *See Aziz v. Burrows*, 976 F.2d 1158, 1158-59 (8th Cir. 1992) (affirming 28 U.S.C. § 1915 dismissal on ground that “district courts may dismiss a duplicative complaint raising issues directly related to issues in another pending action brought by the same party”).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED**, without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

Dated this 9th day of March, 2018.

\s\ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE