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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 DONOVAN CHARLES STONER,

10 Petitioner,

11 vs.

12 NEVADA ATTORNEY GENERAL and
13 NEVADA DEPARTMENT OF
CORRECTIONS,

14 Respondents.
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Case No. 3:09-CV-00137-BES-(VPC)

ORDER

16 Petitioner has submitted a Petition for Writ of Mandamus Pursuant to 18 U.S.C.
17 § 3771. He did not submit an application to proceed in forma pauperis, nor did he pay the
18 filing fee of three hundred fifty dollars (\$350.00). 28 U.S.C. § 1914(a).

19 Petitioner raised the same claim in an earlier petition, Stoner v. Nevada Attorney
20 General, et al, Case No. 3:09-cv-00045-LRH-(VPC). The Court denied that earlier petition.
21 The Court dismisses this action because Petitioner repeats previously litigated claims. Cato
22 v. United States, 70 F.3d 1103, 1105 n.2 (9th Cir. 2005) (citations omitted).

23 IT IS THEREFORE ORDERED that the Clerk of the Court file the Petition for Writ of
24 Mandamus.

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1 IT IS FURTHER ORDERED that the Petition for Writ of Mandamus is **DENIED**. The
2 Clerk of the Court shall enter judgment accordingly.

3 DATED: This 20th day of April, 2009.

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7 United States District Judge
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