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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ANDRES HERNANDEZ MENDOZA,)
)
Petitioner,)
)
vs.)
)
ROBERT LeGRAND, *et al.*,)
)
Respondents.)
/

3:11-cv-00289-RCJ-WGC

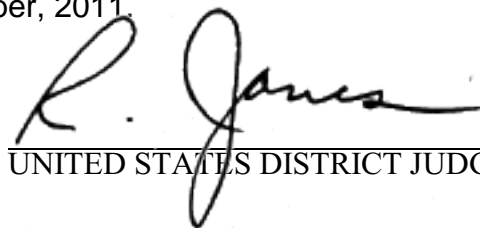
ORDER

This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is proceeding *pro se*. The court takes judicial notice of case 3:10-cv-00549-ECR-VPC, which is an earlier filed habeas corpus action containing an identical petition to the petition filed in the instant action. Accordingly, the court dismisses the instant petition and closes this case. Petitioner shall file all documents pertaining to his petition for writ of habeas corpus in case 3:10-cv-00549-ECR-VPC.

IT IS THEREFORE ORDERED that the clerk shall **FILE** and docket the petition (ECF No. 1-1).

IT IS FURTHER ORDERED that this action is **DISMISSED WITHOUT PREJUDICE** as duplicative. The clerk shall **ENTER JUDGMENT** accordingly.

Dated this 7th day of October, 2011.


UNITED STATES DISTRICT JUDGE