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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DESMOND WITHERSPOON, Plaintiff, v. DESMOND M. WITHERSPOON, Defendant.	**Civil Action No. 14-6314 (SRC)** **OPINION**

CHESLER, District Judge

This matter comes before the Court on the application filed by Plaintiff Desmond Witherspoon to proceed in forma pauperis without fees under 28 U.S.C. § 1915. The Court finds that Plaintiff qualifies for in forma pauperis status, yet his Complaint will be dismissed. The Court must examine Plaintiff's claim and dismiss it if frivolous or legally insufficient. 28 U.S.C. § 1915(e)(2). Here, without providing any information, Plaintiff claims he is entitled to "un-paid wages" from Desmond M. Witherspoon. Plaintiff submitted the same claim against the same Defendant in Civil Action Nos. 14-5642 and 14-6296. The Court dismissed those claims for failing to state a basis for federal subject matter jurisdiction and for failing to state a facially plausible claim for relief. This Complaint suffers from the same deficiency, and it is duplicative. For the reasons provided in the Opinion for Civil Action No. 14-6296, Plaintiff is on notice that he may be sanctioned if he continues to file unsubstantiated and repetitive lawsuits. An appropriate Order will be filed.

s/Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge

Dated: October 20, 2014

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