

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DENNIS MAZZETTI, :
individually and on behalf of :
D.M. as the "Next Friend" of :
D.M. a minor, :
 : Civil Action No. 15-610 (JMV)
Plaintiff, :
 :
v. : **OPINION**
 :
CHRISTOPHER JAMES "CHRIS" :
CHRISTIE, *et al.*, :
 :
Defendants. :
 :

APPEARANCES:

Kenneth J. Rosellini, Esq.
636A Van Houten Avenue
Clifton, New Jersey 07013
For Plaintiff.

VAZQUEZ, District Judge

Plaintiff Dennis Mazzetti, individually and on belief of D.M. as the "Next Friend" of D.M., a minor, initiated this action on January 29, 2015 by filing a self-styled "Complaint, Jury Demand and Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254." (ECF No. 1.) The Court notes this Complaint/Petition is duplicative of the complaint Plaintiff filed in Civil Action No. 14-8134 (KM). A district court may stay or dismiss without prejudice a duplicative action against the same defendants, involving the same

subject matter, and in the same court. McKenna v. City of Philadelphia, 304 F. App'x 89, 94 (3d Cir. 2008). Therefore, the Court will dismiss this action without prejudice.

An appropriate order follows.

s/John Michael Vazquez
JOHN MICHAEL VAZQUEZ
United States District Judge

Date: 10/20/16

At Newark, New Jersey