

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GREGORY SHANE KINNARD, JR.,)	
)	Civil Action No. 18 – 289
Plaintiff,)	
)	
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
PA. DEPT. OF CORRECTIONS, <i>et</i>)	
<i>al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Upon review, the Court has determined that the above action case number is duplicative of Case No. 18-298.¹ As part of its general power to administer its docket, a district court may stay or dismiss a suit that is duplicative of another suit in federal court. *See Colo. River Water Conservation Dist. v. United States*, 424 U.S. 800, 817 (1976) (“As between federal district courts, . . . though no precise rule has evolved, the general principle is to avoid duplicative litigation.”); *Walton v. Eaton Corp.*, 563 F.2d 66, 70 (3d Cir. 1977) (en banc) (prohibiting a plaintiff from “maintin[ing] two separate actions involving the same subject matter at the same time in the same court and against the same defendant.”) Given that Case No. 18-298 is further along in its procedural posture, the undersigned will dismiss this action as duplicative so that Plaintiff can pursue his claims against Defendants in Case No. 18-298.

AND NOW, this 15th day of October, 2018;

¹ The complaints in these two cases are identical.

IT IS HEREBY ORDERED that this case is dismissed as duplicative to Case No. 18-298.

AND IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan
United States Magistrate Judge

cc: Gregory Shane Kinnard, Jr.
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