

# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

December 31, 2008

**By the Court:**

OTIS MCDONALD, et al.,	]	Appeal from the United	
Plaintiffs-Appellants,	]	States District Court for	
	]	the Northern District of	
No. 08-4112	v.	]	Illinois, Eastern Division.
		]	
CITY OF CHICAGO,	]	No. 1:08-cv-03645	
Defendant-Appellee.	]		
	]	Milton I. Shadur, Judge.	

O R D E R

A preliminary review of the short record indicates that this appeal duplicates a later appeal filed on December 18, 2008, and docketed in this court as Appeal No. 08-4244. Only one appeal is necessary, the other should be dismissed. *Harris v. Bellin Memorial Hospital*, 13 F.3d 1082, 1083 (7th Cir. 1994). Accordingly,

IT IS ORDERED that appellants shall file, on or before January 6, 2009, a brief memorandum stating why this appeal should not be dismissed as unnecessary. A motion for voluntary dismissal pursuant to Fed. R. App. P. 42(b) will satisfy this requirement. Briefing shall be suspended pending further court order.

NOTE: Caption document "JURISDICTIONAL MEMORANDUM." The filing of a Circuit Rule 3(c) Docketing Statement does not satisfy your obligation under this order.