

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

|                                   |   |                      |
|-----------------------------------|---|----------------------|
| LARRY WAYNE NORWOOD,              | ) |                      |
|                                   | ) |                      |
| Petitioner,                       | ) |                      |
|                                   | ) |                      |
| v.                                | ) | CIVIL ACTION NOS.    |
|                                   | ) | 1:13-cv-0970-SLB-JEO |
|                                   | ) |                      |
| UNITED STATES OF AMERICA, et al., | ) |                      |
|                                   | ) |                      |
| Respondents.                      | ) |                      |

**MEMORANDUM OPINION**

This is an action brought by Larry Wayne Norwood, a federal prisoner acting *pro se*. In his initial pleading, captioned “Claim for Damages,” Norwood demands \$500,000 in damages for allegedly deficient medical care he received at the Federal Correctional Institution in Talladega, Alabama. (Doc. 1). Based on that pleading, the Clerk opened the instant case, classifying it as one on a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. However, the court is aware that the Clerk has also recently opened another case based on an identical pleading, with that separate case being classified as a “regular” civil action and assigned to Judge Propst. *See Norwood v. United States, et al.*, 1:13-cv-1196-RBP-JEO, Doc. 1 (N.D. Ala. June 27, 2013).

Upon consideration, the instant action is due to be DISMISSED WITHOUT PREJUDICE, on the grounds that the action (1) does not seek habeas relief, *see Preiser v. Rodriguez*, 411 U.S. 475, 494 (1973), and (2) is duplicative of the civil action for damages pending before Judge Propst. *See I.A. Durbin, Inc., v. Jefferson Nat. Bank*, 793 F.2d 1541, 1551-52 (11th Cir. 1986). A separate final order will be entered.

DONE, this 2nd day of July, 2013.

*Sharon Lovelace Blackburn*  
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SHARON LOVELACE BLACKBURN  
CHIEF UNITED STATES DISTRICT JUDGE