

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JORGE L. NIEBLA

Plaintiff,

v.

CASE NO. 6:07-cv-1069-Orl-28KRS

CHARLOTTE CORRECTIONAL
INSTITUTION,

Defendant.

ORDER

This matter is before the Court on the following matters:

1. Plaintiff filed a civil rights complaint (Doc. No. 1, filed June 22, 2007), which he labeled "Emergency." Plaintiff is advised that the use of the term "emergency" on the title of a pleading should be used only in extraordinary circumstances, when there is a true and legitimate emergency. When a pleading is labeled as an "emergency," the Court is compelled to immediately divert its attention from other pending matters and to focus on the "emergency." The present complaint certainly did not assert matters that constituted an emergency, and Plaintiff should not label any further pleadings as an "emergency" unless there is a **true** and **legitimate** emergency. The failure to comply with this paragraph will result in the imposition of sanctions.

2. After examination of the Complaint, it appears that this action should have been filed in the United States District Court, Middle District of Florida, Fort Myers Division. Accordingly, pursuant to 28 U.S.C. § 1406 and Rule 1.02(e), Rules of the United States District Court for the Middle District of Florida, it is now **ADJUDGED**:

That this case shall be **transferred** to the United States District Court, Middle District of Florida, Fort Myers Division.

DONE AND ORDERED at Orlando, Florida this 22nd day of June, 2007.

Karla R. Spaulding

KARLA R. SPAULDING
UNITED STATES MAGISTRATE JUDGE

Copies to:
sc 6/22
Counsel of Record
Jorge L. Niebla