

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ANTHONY COOPER,

Plaintiff,

v.

CASE NO. 6:06-cv-688-Orl-31

GOVERNOR JEB BUSH, et al.,

Defendants.

ORDER

Plaintiff has filed an Emergency Motion to Be Placed Into Protective Custody (Doc. No. 4, filed May 15, 2006). Plaintiff is currently incarcerated in the Florida State Prison in Raiford, Florida. The initial complaint (Doc. No. 1) filed by Plaintiff deals with matters that occurred during Plaintiff's incarceration at the Tomoka Correctional Institution in Daytona Beach, Florida. In the instant motion, Plaintiff requests that this Court direct the officials at the Florida State Prison to place him in protective custody.

Clearly, the Florida State Prison and its officials are not the subject of Plaintiff's complaint in this case, and they are not parties to this litigation. Hence, it would be improper for the Court to compel them to take the action sought by Plaintiff. Under the circumstances, Plaintiff should initiate a *separate* proceeding in the appropriate Court having jurisdiction over these matters.

Accordingly, it is **ORDERED** that Plaintiff's Emergency Motion to Be Placed Into Protective Custody (Doc. No. 4, filed May 16, 2006) is **DENIED** without prejudice to the right of Plaintiff to initiate a separate proceeding in the appropriate Court having jurisdiction over these matters.

DONE AND ORDERED in Chambers at Orlando, Florida, this 22nd day of May, 2006.


GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies to:
pslc 5/22
Anthony Cooper