

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

IN RE: ANDERSON MORGAN, IV,

Case No. 8:13-mc-29-T-30TGW

Petitioner.

ORDER

Anderson Morgan, IV, a prisoner incarcerated by the Florida Department of Corrections, initiated this cause, *pro se*, by filing a letter (Dkt. 1) in which it appears that he requests the Court order his release from incarceration.

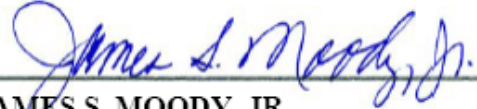
Morgan failed to file any underlying pleading, complaint, or petition. Rule 3, Fed. R. Civ. P., provides that "[a] civil action is commenced by filing a complaint with the court." Local Rule 1.03(c) (M.D. Fla.) provides, in pertinent part, that "[n]o application for any order of court shall be made until the case or controversy in which the matter arises has been docketed and assigned by the Clerk as prescribed by subsection (b) of this rule. . . ."

ACCORDINGLY, the Court **ORDERS** that:

1. This case is **DISMISSED** without prejudice to Petitioner filing a petition for the writ of habeas corpus.
2. The **Clerk of Court** shall forward the court-approved form used to initiate a § 2254 case and one Affidavit of Indigency form with Petitioner's copy of this Order.

3. The **Clerk of Court** shall close this case.

DONE and **ORDERED** in Tampa, Florida on April 3, 2013.

A handwritten signature in blue ink, reading "James S. Moody, Jr.", is written over a horizontal line.

JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

SA: sfc

Copy to:

Anderson Morgan, IV