

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

WARREN COTA,

Plaintiff,

v.

CASE NO. 1:07-cv-00071-MP-AK

RICHARD SIMMONS,
ANTHONY SNEED,

Defendants.

ORDER

This matter is before the Court on Doc. 1, Petition for Writ of Habeas Corpus, filed by Warren Cota. While Plaintiff designated this as a habeas corpus petition, it is not on the proper form, and he has not sought leave to proceed *in forma pauperis* or paid the filing fee. In any event, Plaintiff does not appear to seek habeas corpus relief; instead, he seeks to be “removed from the building” which Defendants apparently oversee because they have “both[er]ed him,” and he is afraid that he may say or do something that he might regret. This charge appears then to be more in the nature of a claim under 42 U.S.C. § 1983, and Plaintiff should amend his complaint on a § 1983 form and complete an application to proceed IFP, forms which will be provided to him by the Clerk. In amending his complaint, Plaintiff should be clear and specific in making his allegations, as those presently before the Court are not sufficient for stating a claim for relief because of their vagueness.

To amend his complaint, Plaintiff must completely fill out the new civil rights complaint

form, marking it "Amended Complaint." Plaintiff is advised that the amended complaint must contain all of Plaintiff's allegations and should not in any way refer to the original complaint. An amended complaint completely replaces all previous complaints and all earlier complaints are disregarded. N.D. Fla. Loc. R. 15.1. Plaintiff should file the amended complaint in the Court and keep one identical copy for himself. Plaintiff need not file service copies until instructed to do so by the Court.

Accordingly, it is hereby **ORDERED**:

1. The clerk of court shall forward to Plaintiff a Section 1983 form and the appropriate IFP form.
2. Plaintiff must file the amended complaint and the motion for IFP no later than **June 4, 2007**.
3. **Failure of Plaintiff to respond to this order or submit the requested information or explain his inability to do so will result in a recommendation to the District Judge that this action be dismissed.**

DONE AND ORDERED this 1st day of May, 2007.

s/A. Kornblum
ALLAN KORNBLUM
UNITED STATES MAGISTRATE JUDGE