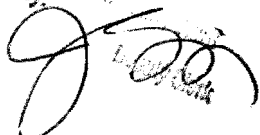


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 MAY 17 2010  


**IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF GEORGIA  
 ATLANTA DIVISION**

SCOTT GERRARD WALKER,	:	PRISONER CIVIL RIGHTS
GDC NO. 1187151,	:	42 U.S.C. § 1983
Plaintiff,	:	
	:	CIVIL ACTION NO.
v.	:	1:10-CV-1193-TCB
	:	
UNNAMED,	:	
Defendant.	:	

**ORDER AND OPINION**

Plaintiff, currently confined at the Augusta State Medical Prison in Grovetown, Georgia has submitted an inmate witness statement which the Clerk of the Court has construed as a 42 U.S.C. § 1983 civil rights action. (Doc. 1). In his witness statement, Plaintiff states that another inmate is making false allegations against certain prison officials. (*Id.* at 1-2.) For the reasons that follow, this Court concludes that Plaintiff did not intend to file a civil rights action.

First, Plaintiff does not name a Defendant. Second, Plaintiff does not allege that his rights under federal law have been violated. Finally, Plaintiff has not requested any relief. Accordingly, this Court finds that Plaintiff did not intend to

file a civil rights action. Therefore, this action will be dismissed without prejudice.<sup>1</sup>

**IT IS ORDERED** that this civil rights action is **DISMISSED WITHOUT PREJUDICE**. For the purpose of dismissal only, Plaintiff is **GRANTED** leave to file this action in forma pauperis.

**IT IS SO ORDERED**, this 17<sup>th</sup> day of May, 2010.



TIMOTHY C. BATTEN, SR.  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Even if Plaintiff had intended to file a civil rights action, it would be subject to dismissal for improper venue. See 28 U.S.C. § 1406(a); 28 U.S.C. § 1391(b)