

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

FILED  
Scott L. Poff, Clerk  
United States District Court  
By staylor, at 3:35 pm, Oct 17, 2017

VILAYSAK SUTHSAYKHO,

Petitioner,

v.

PATRICK GARTLAND,<sup>1</sup>

Respondent.

CIVIL ACTION NO.: 5:17-cv-136

**ORDER**

Presently before the Court are Petitioner Vilaysak Suthsaykho's ("Suthsaykho") Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2241, and his concurrently filed Motion for Leave to Proceed *in Forma Pauperis*. (Docs. 1, 2.) Suthsaykho's Motion was submitted on a form which is not the form this Court prefers its prisoner-petitioners to use when seeking to proceed in this Court without prepayment of fees. In this regard, the Clerk of Court mailed to Suthsaykho at his last known address a blank copy of this Court's preferred *in forma pauperis* form. However, there was no attendant compliance deadline established with that mailing.

Accordingly, the Court **ORDERS** Plaintiff to complete the blank *in forma pauperis* forms within **fourteen (14) days** of this Order.

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<sup>1</sup> The only proper respondent in a 28 U.S.C. § 2241 petition is the inmate's immediate custodian—the warden of the facility where the inmate is confined. See Rumsfeld v. Padilla, 542 U.S. 426, 434–35 (2004). As Patrick Gartland is the Warden of the Folkston ICE Processing Center in Folkston, Georgia, the Court **DIRECTS** the Clerk of Court to change the name of the Respondent from the State of Georgia to Patrick Gartland upon the docket and record of this case.

Plaintiff's failure to abide by this Court's directives will result in the dismissal of his claims for failure to follow a Court Order.

**SO ORDERED**, this 17th day of October, 2017.

A handwritten signature in blue ink, appearing to read "R. Stan Baker". The signature is stylized and cursive.

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R. STAN BAKER  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA