IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF ILLINOIS

MILTON SMITH, Inmate #A-81091,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**CIVIL NO. 08-cv-883-MJR**
	)	
THOMAS E. ANDERSON, *et al.*,	)	
	)	
Defendants.	)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

The Court denied Plaintiff's motion for leave to proceed *in forma pauperis,* finding that he

has accumulated three or more strikes. *See* 28 U.S.C. § 1915(g). He was ordered to pay the full

filing fee of $350 for this action within 15 days of the entry of that order, but no payment was

received. Instead, almost six weeks later, Plaintiff filed a motion in which he objects to the transfer

of this action to this District (Doc. 7).

In his motion, Plaintiff indicates that he filed this action in the Circuit Court for Alexander

County, Illinois, and that the Clerk of that court unlawfully transferred the action to the federal

court. However, a review of the pleadings does not support that assertion; there is no file-stamp

anywhere from the Circuit Court, and the docket sheet from the Central District makes no mention

of receiving the case from any other court. Rather, Plaintiff initiated this action in the United States

District Court for the Central District of Illinois; that court subsequently transferred the action to

this District. Because the incidents complained of arose in this District, this District is the proper

venue for litigation of this action; Plaintiff's motion for reconsideration of the transfer is baseless

and therefore **DENIED.**

Returning to the issue of payment for this case, Plaintiff failed to pay the filing fee within the allotted period of 15 days as ordered, nor has he argued that the Court's denial of his *in forma pauperis* motion was incorrect. Therefore, this action is **DISMISSED** with prejudice for failure to comply with an order of this Court and for failure to pay the filing fee.

IT IS SO ORDERED.

DATED this 2nd day of February, 2009.

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s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge

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