

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SWAMIJI SRI SELVAM SIDDHAR

also known as

Annamalia Annamalai

also known as

Dr Commander Selvam,

Plaintiff,

vs.

Case No. 16-cv-00183-DRH

Suganya Prathap

Vijayal Gopalakrishnan

Kirupakaran Puvalai

Gopalakrishnan Paramasivam

Seema Patel

Harshad Rami

Nareshkumar Chalimeda

Sireesha Iruvuri

John Does 1-10

Defendants.

MEMORANDUM AND ORDER

HERNDON, District Judge:

This matter is before the Court on the Motion for Reconsideration of this Court's Order transferring the above captioned action to the Northern District of Georgia (Doc. 11) brought by plaintiff. By Order entered February 25, 2016, the

Court transferred this case to the United States District Court for Northern District of Georgia pursuant to 28 U.S.C. § 1406(a). The electronic docket of the United States District Court for the Northern District of Georgia shows that, effective February 26, 2016, the complete file in this case has been transferred to that court. *See Siddhar v. Prathap et al.*, No. 1:16-00603-TWT-CMS. On March 3, 2016, the Northern District of Georgia issued a Show Cause Order directing the plaintiff to show cause “why (A) this case should not be dismissed as having been filed in violation of the Judgment and Commitment in the Criminal Case and (B) he should not be sanctioned for such violation.” *See Siddhar v. Prathap et al.*, No. 1:16-00603-TWT-CMS Doc. 9. On that same day, the plaintiff filed a notice of voluntary dismissal. *See Siddhar v. Prathap et al.*, No. 1:16-00603-TWT-CMS Doc. 10.

Generally, when an action is transferred, “and the papers lodged with the clerk of the transferee court, it is well settled that the transferor court—and the appellate court that has jurisdiction over it—loses all jurisdiction over the case and may not proceed further with regard to it.” 15 Charles A. Wright, Arthur R. Miller & Edward H. Cooper, *Federal Practice & Procedure* § 3846 (3d ed. 1998 & Supp.2006) (collecting cases). *See also Jones v. InfoCure Corp.*, 310 F.3d 529, 533 (7th Cir. 2002); *Robbins v. Pocket Beverage Co.*, 779 F.2d 351, 355–56 (7th Cir. 1985); *A.C. Nielsen Co. v. Hoffman*, 270 F.2d 693, 695 (7th Cir. 1959). Moreover, in the instant case, the Northern District of Georgia has asserted jurisdiction by issuing a show cause order and the plaintiff, by filing a voluntary motion to

dismiss in the Northern District of Georgia, has asked the Northern District of Georgia to exercise jurisdiction. *See Robbins v. Pocket Beverage Co.*, 779 F.2d 351, 355–56 (7th Cir. 1985) (identifying factors relevant to assessing jurisdiction after a transfer).

Accordingly, this Court is without jurisdiction to consider the plaintiff's motion to reconsider. For the same reasons, the plaintiff's notice of voluntary dismissal of defendant Nareshkumar Chalimeda is without effect.

The plaintiff is **ORDERED** to make no further filings in this case in this Court.

FURTHER, the Court **DIRECTS** the Clerk to send a copy of this order to the Northern District of Georgia.

IT IS SO ORDERED.

Signed this 7th day of March, 2016.

David R. Herndon



Digitally signed by
Judge David R.
Herndon

Date: 2016.03.07
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United States District Court