

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

VISMANTAS DANYLA,

Petitioner,

V.

UNITED STATES,

Respondent.

Civil Action No. 5: 17-25-KKC

**MEMORANDUM OPINION
AND ORDER**

Vismantas Danyla is a federal prisoner confined at the Moshanon Valley Correctional Center in Philipsburg, Pennsylvania. Danyla has filed a one-page motion in this Court requesting the return of his passport, green card, and other documents seized upon his arrest pursuant to Federal Rule of Criminal Procedure 41(g). [R. 1] The Clerk of the Court has administratively docketed Danyla's motion as a civil action.

However, Danyla was sentenced to a 60-month prison term in October 2016 by the United States District Court for the Western District of Kentucky in Louisville, Kentucky. *United States v. Danyla*, No. 3: 16-CR-50-TBR-CHL-1 (W.D. Ky. 2016). Danyla's motion is therefore directed to the wrong court, and the Court must deny his motion. If Danyla files a renewed motion in the Western District, he should refer to Case No. 16-CR-50 in his motion to ensure proper filing.

Accordingly, **IT IS ORDERED** that Danyla's motion for return of property [R. 1] is **DENIED WITHOUT PREJUDICE**. This matter is **STRICKEN** from the active docket.

Entered January 18, 2017.



Karen K. Caldwell

KAREN K. CALDWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY