

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT BOWLING GREEN**

THOMAS RIDGEWAY

PLAINTIFF

v.

CIVIL ACTION NO. 1:12CV-P34-M

LAUREL COUNTY JAILER

DEFENDANT

MEMORANDUM OPINION

Plaintiff Thomas Ridgeway initiated this action by filing a document styled “Motion for Federal Action - Authority.” He asks the Court to order the federal authorities to investigate and file criminal charges of first-degree criminal abuse of a prisoner regarding an incident that occurred on or about January 27, 2012, at the Laurel County Jail.

“Authority to initiate a criminal complaint rests exclusively with state and federal prosecutors.” *Sahagian v. Dickey*, 646 F. Supp. 1502, 1506 (W.D. Wis. 1986); *United States v. Nixon*, 418 U.S. 683, 693 (1974) (“[T]he Executive Branch has exclusive authority and absolute discretion to decide whether to prosecute a case.”); *Williams v. Luttrell*, 99 F. App’x 705, 707 (6th Cir. 2004) (“[A]s a private citizen, Williams has no authority to initiate a federal criminal prosecution of the defendants for their alleged unlawful acts.”). As “a private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another,” *Linda R. S. v. Richard D.*, 410 U.S. 614, 619 (1973), Plaintiff’s criminal complaint will be dismissed by separate Order.

Plaintiff may always file a *civil* action under 42 U.S.C. § 1983, a civil-rights statute which provides for redress of constitutional violations committed by persons acting under color of state law. The **Clerk of Court is DIRECTED to send Plaintiff a § 1983 packet** containing the forms necessary to file a § 1983 action should he choose to do so.

Date:

cc: Plaintiff, *pro se*
Defendant
4414.005