

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

PETER PICARIELLO, #09314634,

*

Plaintiff,

*

*

v.

*

*

Civil Action No. PWG-17-1434

STUART MINCOWITZ,
REGINA JESSUP, Probation Officer,

*

*

*

Defendants.

*

*

MEMORANDUM OPINION

Peter Picariello is a New Jersey resident who is about to complete a sentence imposed by Morris County Drug Court Judge Stuart Mincowitz. For reasons not apparent from the pleadings, Picariello has filed a 42 U.S.C. § 1983 civil rights complaint in this court, seeking \$6 million in damages and the firing of Judge Mincowitz and Regina Jessup, a New Jersey probation officer. Compl. 8, at ECF No. 1. A Motion for Leave to Proceed in Forma Pauperis attached to the Complaint, ECF No. 2, shall be denied for reasons apparent herein.

Under 28 U.S.C. § 1391(b), venue is proper in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). Here, defendants are located in New Jersey, where Picariello resides and where it appears he has been incarcerated following revocation of parole by the Morris County, New Jersey drug court. Consequently, this case will be dismissed without prejudice for improper venue. A copy of

Picariello's Complaint will be returned to him to assist him if he intends to pursue other avenues of relief in the appropriate New Jersey court.

A separate Order follows.



Paul W. Grimm
United States District Judge