

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JERMAINE S. EWING,

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Petitioner,

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v.

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No. 4:12CV1201 AGF

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IAN WALLACE,

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)

Respondent.

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**MEMORANDUM AND ORDER**

Before the Court is petitioner’s “Declaration” [Doc. #12] wherein he asserts that he has unjustly been placed in administrative segregation in retaliation for filing the instant action. In his “Declaration,” petitioner alleges that he is being subjected to “harassment” and “retaliation,” while having his “due process” rights violated, as well as his access to legal materials. He requests that this Court “take immediate action” against those he believes are violating his rights.

The instant proceeding is a closed civil matter wherein petitioner applied for a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254. In his “Declaration,” petitioner is seeking an order from this Court regarding his current conditions of confinement which must be brought before the Court in a separate action, pursuant to 42 U.S.C. § 1983.

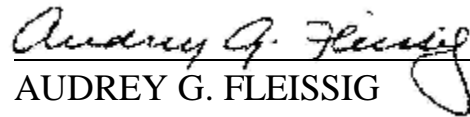
Accordingly,

**IT IS HEREBY ORDERED** that petitioner's "Declaration" for relief from his conditions of confinement [Doc. #12] is **DENIED** without prejudice.

**IT IS FURTHER ORDERED** that the Clerk of Court shall mail to petitioner a copy of the Prisoner Civil Rights Complaint form.

**IT IS FURTHER ORDERED** that the Clerk shall mail to plaintiff a copy of the Court's form Motion to Proceed In Forma Pauperis – Prisoner Cases.

Dated this 7th day of December, 2012.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE