

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

BRUCE L. WATSON,)	
)	
Plaintiff,)	
)	
v.)	No. 4:15-CV-01601-JAR
)	
BILL HARRIS,)	
)	
Defendant.)	
)	
)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's pro se complaint, brought pursuant to 42 U.S.C. § 1983. In his complaint against Bill Harris, plaintiff complains that he is being forcibly medicated during his incarceration at Fulton State Hospital. Plaintiff further states that he had a hearing on the matter on June 26, 2015, and he requests that this Court “investigate the 23rd Judicial Circuit Court System on methods of competency” and grant him relief in punitive damages. Plaintiff also seeks a discharge from his conviction.

In the section marked “Case No.” on his complaint, plaintiff has written “4:15CV1472 SPM,” however, the case to which plaintiff refers represents an application for habeas corpus that is ongoing in this district, wherein plaintiff seeks to overturn a state conviction for bank robbery in the first degree. In that case, the Court ordered plaintiff to show cause as to why his petition should not be dismissed for failure to exhaust his state remedies on October 1, 2015. Plaintiff has until October 31, 2015 to file his reply brief in that matter. *See Watson v. Harris*, No. 4:15CV1472 SPM (E.D.Mo.).

If plaintiff wishes to bring the present action pursuant to 42 U.S.C. § 1983 against defendant

Harris, it must be filed as a separate action, and plaintiff will be required to file a separate motion to proceed in forma pauperis along with a copy of his certified account statement. Plaintiff will then be responsible for paying a wholly separate filing fee. Although the Court has already filed this matter as a separate action, plaintiff may voluntarily dismiss this action if he does not wish to proceed with the action prior to filing his motion to proceed in forma pauperis.

If plaintiff wishes to proceed with this action, he must file a separate motion to proceed in forma pauperis, along with his prison account statement, *see* 28 U.S.C. § 1915(a), within thirty days of the date of this Memorandum and Order. Moreover, after he has done so, it is likely that this matter will be transferred to the Western District of Missouri, as the transactions and occurrences appear to have occurred within the confines of the Federal District Court of the Western District of Missouri.

Accordingly,

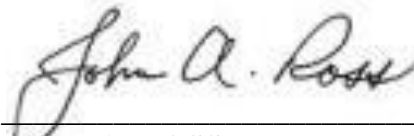
IT IS FURTHER ORDERED that the Clerk shall mail to plaintiff a copy of the Court's Motion to Proceed in Forma Pauperis - Prisoner Cases.

IT IS FURTHER ORDERED that plaintiff shall either pay the \$400 filing fee or submit a motion to proceed in forma pauperis within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that if plaintiff submits a motion to proceed in forma pauperis, he must also submit a certified copy of his prison account statement for the six month period immediately preceding the filing of his complaint.

IT IS FURTHER ORDERED that if plaintiff fails to comply with this Order, the court will dismiss this action without prejudice. If the case is dismissed, the dismissal will not constitute a "strike" under 28 U.S.C. § 1915(g).

Dated this 22nd day of October, 2015.

A handwritten signature in cursive script that reads "John A. Ross". The signature is written in black ink and is positioned above a horizontal line.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE