

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PATRICK GUILLORY, 09-B-0714,

Plaintiff,

-v-

NANCY HAYWOOD, et al.,

Defendants.



-PSO-

DECISION and ORDER
13-CV-591F

Plaintiff Patrick Guillory has brought this action under 42 U.S.C. § 1983, complaining that his constitutional rights were violated at the Greene Correctional Facility, and has requested permission to proceed *in forma pauperis* (Docket Nos. 1, 2). However, subsequent to the filing of the complaint, plaintiff filed a letter in which he states that he erred in filing the case in this Court inasmuch as all of the defendants are located in the Northern District of New York. (Docket No. 7). The Court construes plaintiff's letter as a request to transfer this action to the Northern District of New York.

The Greene Correctional Facility is located in the Northern District of New York and the instant action is thus deemed to arise under jurisdiction of the United States District Court for the Northern District of New York. Pursuant to 28 U.S.C. § 1406(a), this action is ordered transferred to the United States District Court for the Northern District of New York.

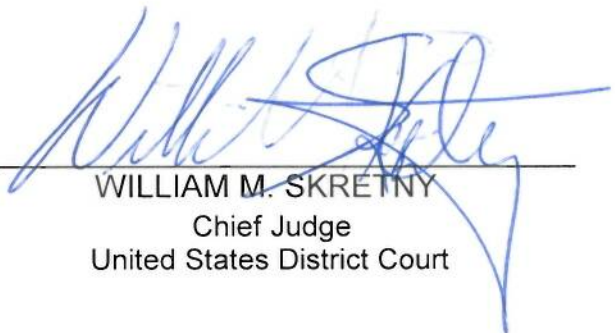
The determination of the plaintiff's motion for permission to proceed *in forma pauperis* has been left to the Northern District of New York. Because this Court has already sent his signed authorization form to the Greene Correctional Facility for execution,

and plaintiff has subsequently been transferred to Southport Correctional Facility, the Pro Se Office is directed to advise the Southport Correctional Facility of the transfer of this case to the Northern District.

IT HEREBY IS ORDERED, that this matter is transferred to the United States District Court for the Northern District of New York.

SO ORDERED

Dated: 12/12, 2013
Buffalo, New York



WILLIAM M. SKRETNY
Chief Judge
United States District Court