

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

William J.R. Embrey,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Wade H. Warren, Chief U.S. Probation)	
Officer, et. al.,)	Case No. 3:17-cv-033
)	
Defendants.)	

Plaintiff commenced the above action on February 13, 2017, by submitting a complaint and seeking leave to proceed *in forma pauperis*. As of this date, plaintiff’s complaint has not been screened as required by 18 U.S.C. § 1915A.

Sometime after the filing of the complaint, plaintiff submitted a separate pleading entitled “Petition Moving the Court for Consent and for Acknowledgment that it will Accept Transfer of Jurisdiction over Petitioner’s Supervised Release from the District Court for the Western District of Missouri” (“Petition”). This pleading was filed as a motion in this action at Docket No. 12. Later, plaintiff filed a “Motion Requesting the Court Clerk and or the Court to file the Above Caption Case as an Independent Case.” (Docket No. 19). In that motion, Embrey states that he intended the Petition filed at Docket No. 12 to be a separate matter. Upon review, the court agrees the Petition should be treated separately from this action.

Consequently, plaintiff’s motion at Docket No. 19 is **GRANTED**. The clerk is directed to file the “Petition Moving the Court for Consent and for Acknowledgment that it will Accept Transfer of Jurisdiction over Petitioner’s Supervised Release from the District Court for the Western District of Missouri” at Docket No. 12, along with the attachments, as a separate matter to be

considered by Chief Judge Hovland.

IT IS SO ORDERED.

Dated this 15th day of May, 2017.

/s/ Charles S. Miller, Jr. _____
Charles S. Miller, Jr., Magistrate Judge
United States District Court