

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

ANTHONY C. KENNEY,)
)
 Plaintiff,)
)
 vs.) No. CIV-15-931-W
)
 SSA ODAR HEARING et al.,)
)
 Defendants.)

ORDER

On September 23, 2015, United States Magistrate Judge Charles B. Goodwin issued a Report and Recommendation in this matter and recommended that this action be dismissed without prejudice. Plaintiff Anthony C. Kenney was advised of his right to object, see Doc. 6 at 6, and the matter now comes before the Court on Kenney's Notice of Appeal [Doc. 7], which the Court has construed as an objection to the Report and Recommendation.

Magistrate Judge Goodwin conducted the preliminary screening required by title 28, section 1915A(a) of the United States Code, and in so doing, he determined that proper venue is lacking and that the appropriate venue of this action lies in the United States District Court for the Northern District of Oklahoma. See 42 U.S.C. § 405(g). Magistrate Judge Goodwin further determined that transfer of this action to that judicial district was not "in the interest of justice[.]" 28 U.S.C. § 1406(a); e.g., Haugh v. Booker, 210 F.3d 1147, 1150 (10th Cir. 2000).¹

¹To prevent further frivolous filings, Kenney is subject to "certain restrictions on his ability to bring additional actions," Kenney v. Oklahoma, 601 Fed. Appx. 761, 761 (10th Cir. 2015), in the United States District Court for the Northern District of Oklahoma, and must comply with detailed requirements when presenting a proposed civil pleading to that court for filing. E.g., In re Anthony

Upon de novo review of the record and after consideration of Kenney's Notice of Appeal, the Court concurs with Magistrate Judge Goodwin's suggested disposition of this matter.

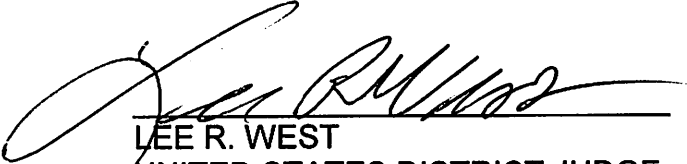
Accordingly, the Court

(1) ADOPTS the Report and Recommendation [Doc. 6] filed on September 23, 2015;

(2) DISMISSES this action without prejudice; and

(3) deems MOOT Kenney's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 4] file-stamped August 28, 2015.

ENTERED this 20th day of October, 2015.



LEE R. WEST
UNITED STATES DISTRICT JUDGE

C. Kenney, No. GO-10-8 (N.D. Okla. Oct. 25, 2010); Kenney v. Oklahoma Comptroller, No. 10-CV-137-JHP (N.D. Okla. September 27, 2010).