

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID BRYANT WICKS : **CIVIL ACTION**
v. :
DONALD L. CARCIERI, et al. : **NO. 06-cv-1256**

MEMORANDUM AND ORDER

Taking what the petitioner Wicks says at face value, it appears that the state of Rhode Island has lodged a detainer against him, and that the state of Pennsylvania has placed him in its custody (at Montgomery County Jail) pending his extradition to the state of Rhode Island. Wicks claims that Rhode Island has been unreasonably delaying his extradition, and that he has been held for so long in Pennsylvania custody that there has been a violation of “The Interstate Agreement on Detainers,” which he claims is codified as 28 U.S.C. §1343 (there is, in fact, no “Interstate Agreement on Detainers” in this statute). Both of the persons whom Wicks has named as defendants in 06-cv-1256 are Rhode Island state actors, and he is attacking the legality of actions they allegedly took, or allegedly failed to take, in Rhode Island. It appears to this court that this matter would be best considered by the United States District Court for the District of Rhode Island as a 28 U.S.C. §2241 petition. Accordingly, this day of _____ 2006, it is hereby **ORDERED** as follows:

1. That petitioner is granted ***provisional*** leave to proceed in forma pauperis in this matter for the purpose of this Order only.
2. That this civil action is transferred to the United States District Court for the District of Rhode Island.
3. That the Clerk of the United States District Court for the Eastern District of

Pennsylvania shall mark this matter as **CLOSED** in this court for all purposes, including statistics.

S/ PETRESE B. TUCKER
PETRESE B. TUCKER, U.S. District Judge