

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2008 CA 0076

HAROLD JOE BLACK

VERSUS

LOUISIANA BOARD OF PAROLE, KATHLEEN B. BLANCO, ET AL.

DATE OF JUDGMENT: June 6, 2008

ON APPEAL FROM THE NINETEENTH JUDICIAL DISTRICT COURT
(NUMBER 552,601 "D"), PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

HONORABLE JANICE CLARK, JUDGE

Harold J. Black
Keithville, Louisiana

In Proper Person

William Kline
Baton Rouge, Louisiana

Counsel for Defendant/Appellee
Louisiana Department of Public Safety
and Corrections

BEFORE: PARRO, KUHN AND DOWNING, JJ.

Disposition: AFFIRMED.

KUHN, J.

Prisoner-appellant, Harold Joe Black, seeks review of the district court's judgment, sustaining a declinatory exception raising the objection of improper venue and dismissing his claim without prejudice. Appellant has filed a delictual action with respect to the effects of actions by government officials on the lives of persons confined in prison, *see* La. R.S. 15:1181(2), for which exclusive venue is the parish where the prison is situated to which the prisoner was assigned when the cause of action arose. *See* La. R.S. 15:1184F; *Peterson v. Hanson*, 2003-1448, p. 4 (La. App. 1st Cir. 9/17/04), 897 So.2d 32, 34. Because appellant was not assigned to a prison situated in East Baton Rouge Parish, the district court correctly sustained the objection of improper venue and dismissed the appeal without prejudice, and its judgment is affirmed in accordance with La. U.R.C.A. Rule 2-16.2A(2)(4)(5) & (6). Appeal costs are assessed against Harold Joe Black.

AFFIRMED.