

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No. 97-8219

Cyril A. Kolocotronis

Appellant,

v.

Veera Dr. Reddy, M.D.
Psychiat.,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Missouri

[UNPUBLISHED]

Submitted: December 29, 1998

Filed: February 3, 1999

Before BEAM, LOKEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Cyril A. Kolocotronis filed a 28 U.S.C. § 2254 habeas action contesting the administration of psychotropic medication. The district court transferred the petition to this court because Kolocotronis had not obtained our authorization prior to filing a successive petition. Although Kolocotronis captioned his complaint as a federal habeas petition, his claims should have been brought as a 42 U.S.C. § 1983 action

challenging forced medication as a condition of his confinement. See Washington v. Harper, 494 U.S. 210 (1990); Walton v. Norris, 59 F.3d 67 (8th Cir. 1998). We therefore remand this matter to the district court for further consideration of the matter as a section 1983 claim.

A true copy.

Attest:

CLERK, U. S. COURT OF APPEALS, EIGHTH CIRCUIT.