

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RONALD E. HARRIS, II,

Petitioner,

-vs-

WARDEN, Chillicothe Correctional
Institution,

Respondent.

:

Case No. 3:12-cv-410

:

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

:

DECISION AND ORDER DENYING REQUEST TO TRANSFER

This habeas corpus case is before the Court on Petitioner's Request that this Court transfer the records in this case to "Jan Horbaly, Clerk of Courts, Howard T. Markey National Courts Building, 717 Madison Place N.W., Room 401, Washington, D.C." (Doc. No. 21). Although Mr. Harris does not mention a court, the address given is that of the Clerk for the United States Court of Appeals for the Federal Circuit, and this Court treats the request as intending to have this Court transfer this case to that court.

The United States Court of Appeals for the Federal Circuit has no jurisdiction of an appeal in this case. As a case in habeas corpus brought pursuant to 28 U.S.C. § 2254, any appellate jurisdiction from this Court's final decision lies to the United States Court of Appeals for the Sixth Circuit. Mr. Harris took an appeal to that court which has been dismissed (Doc. No. 19). The only court which has appellate jurisdiction over the Sixth Circuit is the United States

Supreme Court by writ of certiorari; the Court of Appeals for the Federal Circuit has no such jurisdiction.

Accordingly, Mr. Harris' Request to Transfer is DENIED.

November 4, 2013.

s/ *Michael R. Merz*
United States Magistrate Judge