

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

BERNARD KIDD §  
VS. § CIVIL ACTION NO. 1:13cv213  
DIRECTOR, TDCJ-CID §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Bernard Kidd, an inmate confined in the Gist Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

Petitioner states he is challenging a 2012 conviction for aggravated robbery in the 145<sup>th</sup> District Court of Nacogdoches County, Texas.

Petitioner filed this petition for writ of habeas corpus in the district in which he was convicted. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated. Accordingly, this court has jurisdiction over the petition.

However, while Nacogdoches County is located within the Eastern District of Texas, it is in the Lufkin Division, rather than the Beaumont Division. As a result, this case should be

transferred to the Lufkin Division of this court. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

**SIGNED** this 17 day of April, 2013.

  
\_\_\_\_\_  
KEITH F. GIBLIN  
UNITED STATES MAGISTRATE JUDGE