

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

WILLIAM RAY HAMES,

Petitioner,

VS.

WILLIAM STEPHENS,

Respondent.

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CIVIL ACTION NO. 2:14-CV-165

OPINION AND ORDER OF TRANSFER

This is a habeas action filed by a state prisoner incarcerated at the Garza East Unit in Beeville, Texas, which is located in Bee County. (D.E. 1).¹ In his complaint, Petitioner challenges his sentence. (D.E. 1).

A habeas action may be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d); *Wadsworth v. Johnson*, 235 F.3d 959 (5th Cir. 2000). Petitioner's place of incarceration at the time of filing was in the Corpus Christi Division of the Southern District of Texas, 28 U.S.C. § 124(b)(6), and he was convicted by a court located in Harris County in the Houston Division of the Southern District of Texas. 28 U.S.C. § 124(b)(2).


For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. §§ 1404(a) and 1406(a). A habeas application may be transferred in furtherance of justice to the district court within which the state court was

¹ The Petitioner has since been transferred to the Polunsky Unit in Livingston, Texas, which is located in Polk County. (D.E. 6). This Court maintains jurisdiction over this habeas petition because it had proper jurisdiction over the petition at the time of filing.

held which convicted and sentenced the petitioner. 28 U.S.C. § 2241(d). Because petitioner was convicted in Harris County, it is more convenient and would further the interests of justice for this action to be handled in the Houston Division of the Southern District of Texas. The records of his conviction and the prosecutor and defense lawyers are all located in the Houston Division of the Southern District of Texas.

Accordingly, it is ordered that this case be transferred to the United States District Court for the Southern District of Texas, Houston Division.

ORDERED this 26th day of August, 2014.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE