

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

JERRY RANDOLPH McBEE,)
105694,)
)
Petitioner,) CIVIL ACTION NO.
) 1:14cv1230-MHT
v.) (WO)
)
LEEPOSEY DANIELS, Warden,)
and LUTHER STRANGE,)
Alabama Attorney General,)
)
Respondents.)

JERRY RANDOLPH McBEE,)
105694,)
)
Petitioner,) CIVIL ACTION NO.
) 1:15cv15-MHT
v.) (WO)
)
LEEPOSEY DANIELS, Warden,)
and LUTHER STRANGE,)
Alabama Attorney General,)
)
Respondents.)

ORDER

On December 15, 2014, petitioner Jerry Randolph
McBee filed a petition for writ of habeas corpus under
28 U.S.C. § 2254 in the Middle District of Alabama

challenging his murder conviction and life sentence entered by the Circuit Court of Houston County, which is located in this District. This court docketed the habeas petition as Civil Action No. 1:14cv1230-MHT and entered orders for the named respondents to file an answer by January 21, 2015.

In June 2014, McBee filed another habeas petition under § 2254, but this time in the United States District Court for the Northern District of Alabama. On December 11, 2014, that court transferred the habeas petition to Middle District of Alabama after it became apparent McBee was seeking to challenge the same conviction and sentence in Houston County, which, as stated, is in the Middle District. On January 8, 2015, this court docketed the transferred habeas petition as Civil Action No. 1:15cv15-MHT.

Because petitioner Jerry Randolph McBee challenges the same Houston County conviction and sentence in both habeas petitions, it is ORDERED that:

1. Civil Action No. 1:14cv1230-MHT and Civil Action No. 1:15cv15-MHT are consolidated.

2. Civil Action No. 1:14cv1230-MHT is designated as the lead case. All future pleadings, motions, briefs, orders, and other documents submitted in the consolidated cases shall be filed in only Civil Action No. 1:14cv1230-MHT.

3. Civil Action No. 1:15cv15-MHT is closed administratively.

DONE, this the 20th day of January, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE