

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

FELICIA NICHOLS, #259327,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 2:09cv325-TMH
	)	
EDWARD ELLINGTON, WARDEN,	)	
et al.,	)	
	)	
Respondents.	)	

**ORDER AND OPINION**

On May 27, 2009, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 3). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that this case is TRANSFERRED to the United States District Court for the Southern District of Alabama pursuant to the provisions of 28 U.S.C. § 2241(d).<sup>1</sup>

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<sup>1</sup> Petitioner has filed an affidavit in support of a request for leave to proceed *in forma pauperis*. Under the circumstances of this case, however, matters related to Petitioner’s *in forma pauperis* status, including the assessment and collection of any filing fee, should be undertaken by the United States District Court for the Southern District of Alabama.

Done this the 17<sup>th</sup> day of June, 2009.

/s/ Truman M. Hobbs

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SENIOR UNITED STATES DISTRICT JUDGE