

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

MARVIN FLOYD FORTENBERRY,	)	
#155 340	)	
	)	
Petitioner,	)	
	)	
v.	)	2:09-CV-961-TMH
	)	(WO)
STATE OF ALABAMA, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

On October 26, 2009, the Magistrate Judge filed a Recommendation (Doc. 2) in this case to which no timely objections have been filed. Upon an independent and de novo review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is hereby ORDERED as follows:

- (1) The Recommendation (Doc.2) is ADOPTED.
- (2) The Clerk of the Court is DIRECTED to TRANSFER this case in its entirety to the United States District Court for the Northern District of Alabama pursuant to the provisions of 28 U.S.C. § 1404(a).

Done this 16th day of November, 2009.

/s/ Truman M. Hobbs  
SENIOR UNITED STATES DISTRICT JUDGE