

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

WOODBURCK NOE, #148475,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION NO. 2:12cv254-WHA
)	
LOUIS BOYD, et al.,)	(WO)
)	
Respondents.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #11), entered on May 23, 2012, and Petitioner’s Objection thereto (Doc. #12).

The court has conducted an independent evaluation and *de novo* review of the file in this case, and having done so, the court finds that the objection is without merit and is due to be overruled.

The Magistrate Judge recommended that this case be transferred to the United States District Court for the Northern District of Alabama, that being the district in which the Petitioner was convicted in a state court of murder. Although Noe’s incarceration at a prison facility within this court’s jurisdiction provides concurrent jurisdiction over this case with the United States District Court for the Northern District of Alabama, the court agrees with the Magistrate Judge’s conclusion that this case should be transferred. Accordingly, the objection is OVERRULED, the court ADOPTS the Recommendation of the Magistrate Judge, and it is hereby

ORDERED that this case is TRANSFERRED to the United States District Court for the

Northern District of Alabama pursuant to the provisions of 28 U.S.C. § 2241(d).

The clerk is DIRECTED to take appropriate steps to effect the transfer.

DONE this 19th day of June, 2012.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE