

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

MUHAMMED FEROZ,

Petitioner,

v.

PATRICK GARTLAND,

Respondent.

CIVIL ACTION NO.: 5:17-cv-113

ORDER

Petitioner is currently detained at the Etowah County Detention Center in Gadsden, Alabama. He filed a Petition in this Court challenging his detention and seeking habeas corpus relief pursuant to 28 U.S.C. § 2241. (Doc. 1.) Petitioner has paid the \$5.00 filing fee applicable to a Section 2241 Petition. For the reasons set forth below, the Court **ORDERS** that this case be transferred to the United States District Court for the Northern District of Alabama, Middle Division.

At the time Petitioner filed this action, it appears he was in custody at the Folkston Processing Center in Charlton County, Georgia, which is within this District. Thus, the Petition was properly filed with this Court. However, on October 24, 2017, Petitioner filed a Notice that he has been transferred to the Etowah County Detention Center in Gadsden, Alabama. (Doc. 9.)

Where a Section 2241 petitioner challenges his present confinement, “jurisdiction lies” only in “the district of confinement,” and the proper respondent is the warden of the facility where the petitioner is being held, not the United States or a supervisory official who exercises “legal control” over the petitioner. See Rumsfeld v. Padilla, 542 U.S. 426, 435, 439-40, 443

(2000). Here, Petitioner is no longer confined in this District but rather in Gadsden, Alabama, which lies in the Northern District of Alabama. 28 U.S.C. § 81(a). Consequently, this Court has no jurisdiction over the instant petition.

Therefore, **IT IS HEREBY ORDERED** that this action shall be **TRANSFERRED** to the United States District Court for the Northern District of Alabama, Middle Division, for further consideration. The Court **DIRECTS** the Clerk of Court to transfer this case to that court.

SO ORDERED, this 17th day of January, 2018.



R. STAN BAKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA