

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DALLAS LEVON SIMMONS, #180081,	:	
Petitioner,	:	
vs.	:	CIVIL ACTION 09-0725-KD-C
WARDEN JOHN CUMMINS,	:	
Respondent.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated November 17, 2009, is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that this action is hereby **TRANSFERRED** to the United States District Court for the Middle District of Alabama.

DONE and **ORDERED** this the 11th day of **January 2010**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE