

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

JAMES R. DOWNES,)	
AIS #00281824,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION NO. 16-0240-CG-N
)	
STATE OF ALABAMA)	
DEPARTMENT OF CORRECTIONS,)	
)	
Respondent.)	

ORDER

After due and proper consideration of 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)-(C), Rule 8(b) of the Rules Governing § 2254 Cases in the United States District Courts, and S.D. Ala. GenLR 72(a)(2)(R), and dated June 3, 2016, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Petitioner Downes’s motion requesting “permission for change of venue” (Doc. 4) is **DENIED** and that this habeas action under 28 U.S.C § 2254 be **TRANSFERRED** under 28 U.S.C. § 1631 to the United States District Court for the Middle District of Alabama, with disposition of Downes’s pending motion to proceed without prepayment of fees (Doc. 2) and “Motion for Equitable Tolling” (Doc. 3) to be left to the transferee court.

The Clerk of Court shall take any action necessary to effect this transfer and is directed to close this case following transfer.

DONE and ORDERED this 28th day of June, 2016.

/s/ Callie V. S. Granade
SENIOR UNITED STATES DISTRICT JUDGE