

Allenwood, Pennsylvania therefore presumably is plaintiff's custodian and jurisdiction over petitioner's *habeas* petition likely is in federal court in Pennsylvania. See id. at 415.

In Chatman-Bey, however, the court of appeals stated that a district court should give notice of an anticipated transfer of *habeas* proceedings and an opportunity for the petitioner to set forth why the case could properly be heard in the jurisdiction in which the petition originally was filed. See Chatman-Bey v. Thornburgh, 864 F.2d at 814. If petitioner believes there is a basis for jurisdiction in this Court, the Court will, of course, consider his arguments. Accordingly, it is hereby

ORDERED that petitioner may reply to the government's Motion to Transfer on or before December 10, 2009. If the petitioner does not respond within that time, the Court will treat the matter as conceded, and transfer the petition to the United States District Court for the Middle District of Pennsylvania, the district in which the petitioner is incarcerated.

SO ORDERED.

/s/ _____
PAUL L. FRIEDMAN
United States District Judge

DATE: November 12, 2009