

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

RUBEN DIAZ,

Petitioner,

v.

CASE NO. 1:09-cv-00212-MP-AK

STATE OF FLORIDA FOURTH JUDICIAL CIRCUIT,

Respondent.

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**ORDER**

This matter is before the Court on Doc. 4, Report and Recommendation of the Magistrate Judge, which recommends that this action be transferred to the United States District Court for the Middle District of Florida for all further proceedings. Plaintiff has filed no objection to the Report, and the time to do so has passed. Upon consideration, the Court agrees with the Magistrate that the Middle District is the appropriate venue for this action. Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

1. The Report and Recommendation of the Magistrate Judge, Doc. 4, is ADOPTED and incorporated herein.
2. This cause is TRANSFERRED in the interest of justice, pursuant to 28 U.S.C. §§ 1404(a) and 1406(a), to the United States District Court for the Middle District of Florida for all further proceedings

**DONE AND ORDERED** this 20th day of November, 2009

*s/Maurice M. Paul*

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Maurice M. Paul, Senior District Judge