

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

LOUIS REED, JR,

Petitioner,

v.

CASE NO. 4:10-cv-00405-SPM -GRJ

FLORIDA PAROLE COMMISSION,

Respondent.

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ORDER

This matter is before the Court on Doc. 1, a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 filed by Louis Reed, Jr. Petitioner is currently incarcerated at Liberty Correctional Institution, and challenges a decision of the Florida Parole Commission revoking his conditional release supervision from a sentence imposed in Polk County, Florida. The Petition reflects that the conduct giving rise to the revocation proceeding occurred in Bradenton, Florida, and that the revocation proceeding was held in Manatee County, both within the Middle District of Florida.

Petitions challenging actions by the Florida Parole Commission are subject to the requirements of § 2254. See *Thomas v. Crosby*, 371 F.3d 782, 788 (11th Cir. 2004). Jurisdiction is therefore appropriate in either this district or in the United States District Court for the Middle District of Florida, as the districts of confinement and conviction, respectively. 28 U.S.C. § 2241(d).

The district of conviction, where the revocation conduct and proceedings also occurred, would appear to be the most convenient for witnesses should an evidentiary hearing be necessary, and therefore, transfer of this cause to the Middle District is

appropriate. *Mitchell v. Henderson*, 432 F.2d 435, 436 (5th Cir. 1970) (division of conviction, where witnesses were located, was appropriate venue over division of confinement in challenge to conviction); *Parker v. Singletary*, 974 F.2d 1562, 1582, n. 118 (11th Cir. 1992) (courts should give careful consideration to convenience of witnesses in transferring habeas corpus petitions under § 2241(d)).

Accordingly, it is **ORDERED**:

That this case is hereby **TRANSFERRED** to the Middle District of Florida for all further proceedings.

DONE AND ORDERED this 21st day of September 2010.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge