

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

JOHNNY ALLEN JAMES,

Petitioner,

v.

CASE NO. 1:06-cv-00231-MP-AK

JAMES R. MCDONOUGH,

Respondent.

**REPORT AND RECOMMENDATION**

This matter is before the Court on Doc. 1, Petition for Writ of Habeas Corpus, filed by Johnny Allen James. He has paid the filing fee. Petitioner is currently incarcerated at Baker Correctional Institution and challenges his conviction out of the Circuit Court of Columbia County, Florida. Jurisdiction is therefore appropriate in the United States District Court for the Middle District of Florida, as the district of confinement and conviction. 28 U.S.C. § 2241(d). Under no circumstances is this cause properly pending in this district.

It is therefore respectfully **RECOMMENDED** that this case be **TRANSFERRED** to the United States District Court for the Middle District of Florida for all further proceedings.

**IN CHAMBERS** at Gainesville, Florida, this 14<sup>th</sup> day of November, 2006.

**s/ A. KORNBLUM**

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**ALLAN KORNBLUM**

**UNITED STATES MAGISTRATE JUDGE**

**NOTICE TO THE PARTIES**

**A party may file specific, written objections to the proposed findings and recommendations within 15 days after being served with a copy of this report and recommendation. A party may respond to another party's objections within 10 days after being served with a copy thereof. Failure to file specific objections limits the scope of review of proposed factual findings and recommendations.**