

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

LEEANN PINE,

Petitioner,

v.

CASE NO. 1:09cv28-MMP/AK

STATE OF FLORIDA,

Respondent.

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REPORT AND RECOMMENDATION

This matter is before the Court on Doc. 1, Motion for Extension of Time to File Petition for Writ of Habeas Corpus , filed by Leeann Pine. Petitioner has not filed a motion for leave to proceed *in forma pauperis* or paid a filing fee.

Petitioner is currently incarcerated in Hillsborough Correctional Institution, Riverview, Florida, and will seek to challenge her conviction out of Lake 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 13th day of February, 2009.

s/A. Kornblum

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.