

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

RICKIE L. HOLMES,

Petitioner,

v.

CASE NO. 1:11-cv-00044-MP -GRJ

STATE OF FLORIDA,

Respondent.

_____ /

ORDER

This case is before the Court on Doc. 1, a petition for a writ of habeas corpus. Petitioner is incarcerated at Blackwater River Correctional Institution and challenges his conviction in the Sixth Judicial Circuit Court of Pinellas County, Florida. 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 would appear to be the most convenient for witnesses should an evidentiary hearing be necessary, and therefore, transfer of this case to the Middle District is appropriate. See *Mitchell v. Henderson*, 432 F.2d 435, 436 (5th Cir. 1970); *Parker v. Singletary*, 974 F.2d 1562, 1582, n. 118 (11th Cir. 1992).

Accordingly, it is **ORDERED**:

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

DONE AND ORDERED this 10th day of March 2011.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge