

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

ANTONIOUS DETON BURKE,
Petitioner,

vs.

Case No. 3:09cv392/LC/MD

STATE OF FLORIDA,
Respondent.

ORDER

This cause is before the court upon petitioner filing a petition for writ of habeas corpus under 28 U.S.C. § 2254 (doc. 1). Petitioner is currently incarcerated at Santa Rosa Correctional Institution in Milton, Florida. He challenges his 2005 criminal conviction entered by the Circuit Court of Seminole County, Florida. Pursuant to 28 U.S.C. § 2241(d), the court considers it to be in the interest of justice to transfer this case to the United States District Court for the Middle District of Florida, which is the district within which the state court was held which convicted and sentenced petitioner.

Accordingly, it is therefore ORDERED:

The clerk shall transfer this case to the United States District Court for the Middle District of Florida.

DONE AND ORDERED this 10th day of September, 2009.

/s/ *Miles Davis*

**MILES DAVIS
UNITED STATES MAGISTRATE JUDGE**