

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

EDWIN PEREZ,

Petitioner,

vs.

Case No. 4:09cv188-MP/WCS

WALTER A. McNEIL, et al.,

Respondents.

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REPORT AND RECOMMENDATION TO TRANSFER § 2254 PETITION

Pursuant to court order, doc. 5, Petitioner filed an amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Doc. 6. The order directing amendment also deferred ruling on the motion to proceed in forma pauperis. That motion is now denied by separate order as moot, because the filing fee was paid.

Petitioner is currently incarcerated at Okeechobee Correctional Institution, and challenges the revocation of his parole by the Florida Parole Commission. According to the website maintained by the Florida Department of Corrections, Petitioner has multiple state court convictions, all originating out of Dade or Broward County, Florida.

Jurisdiction is appropriate in Southern district, as the district of both confinement and conviction. 28 U.S.C. § 2241(d).

It is therefore respectfully **RECOMMENDED** that the case file and any service copies be **TRANSFERRED** to the United States District Court for the Southern District of Florida for all further proceedings.

IN CHAMBERS at Tallahassee, Florida on October 7, 2009.

s/ William C. Sherrill, Jr.
WILLIAM C. SHERRILL, JR.
UNITED STATES MAGISTRATE JUDGE

NOTICE TO PARTIES

Within 15 days after being served with a copy of this report and recommendation, a party may serve and file specific, written objections to the proposed findings and recommendations. 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.