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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KEITH HENDERSON,
Petitioner,
vs.
BISHOP, et al.,
Respondents.

Case No. 3:14-cv-00419-RCJ-WGC
ORDER

Petitioner, who is a prisoner at the Wheeler Correctional Facility in Alamo, Georgia, has submitted an application for writ of habeas corpus. Petitioner alleges that he is challenging a judgment of conviction of the Early County Superior Court in Blakely, Georgia.

This court does not have jurisdiction over respondents. Petitioner is in custody in the Dublin Division of the Southern District of Georgia, and the county where his judgment of conviction was entered is in the Albany Division of the Middle District of Georgia. Petitioner needed to commence this action in either of those two districts. See 28 U.S.C. § 2241(d). Based upon this court’s interpretation of the Southern District of Georgia’s instructions for habeas corpus petitions, the practice appears to be that petitioner needed to file his petition in the Middle District of Georgia, where he was convicted.

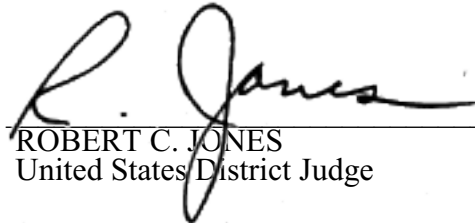
The allegations in the petition are vague, and it is not clear whether petitioner actually is challenging the validity of his custody. Out of an abundance of caution for the operation of the one-year period of limitation of 28 U.S.C. § 2244(d)(1), the court will transfer this action to the Albany Division of the Middle District of Georgia. See 28 U.S.C. § 1631.

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IT IS THEREFORE ORDERED that the clerk of the court shall transfer this action to the United States District Court for the Middle District of Georgia, Albany Division, 201 W. Broad Ave., Albany, GA 31701.

IT IS FURTHER ORDERED that the clerk of the court shall administratively close this action.

Dated: August 26, 2014.


ROBERT C. JONES
United States District Judge