

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

RODNEY GENE HOPKINS,)	
)	
Petitioner,)	
)	
v.)	CV417-004
)	
BENJAMIN FORD, Warden,)	
)	
Respondent.)	

ORDER

Rodney Hopkins is a prisoner housed at the Calhoun State Prison in Morgan County, Georgia, for crimes committed in Morgan County, Georgia. Doc. 1; see Georgia Department of Corrections Inmate Locator, <http://www.dcor.state.ga.us/GDC/OffenderQuery/>. He has filed a petition for writ of habeas corpus, alleging there was insufficient evidence proffered at trial to sustain his conviction for child molestation and statutory rape. Doc. 1 at 1-8.

It is unclear why he chose to file his § 2254 petition in this judicial district, since he was convicted and is incarcerated in the Middle District of Georgia. See 28 U.S.C. § 90(b)(1) (Morgan County is in the Athens Division of the Middle District). In fact, a docket search of that district reveals at least one habeas proceeding already in progress. See *Hopkins*

v. Strawberry, No. 3:16-cv-031 (challenging his same Morgan County conviction for child molestation and statutory rape). The Southern District of Georgia has no jurisdiction over Hopkins' duplicative habeas challenge. This case is therefore **TRANSFERRED** to the Middle District of Georgia for all further proceedings. *See* 28 U.S.C. § 1404(a) (permitting a district court to transfer any civil action to another district or division where it may have been brought for the convenience of parties and witnesses and in the interest of justice); *Rufus v. Kemp*, 2013 WL 2659983 at * 1 (S.D. Ga. June 12, 2013).

SO ORDERED, this 19th day of January, 2017.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA