

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2010 NOV 17 AM 10:32

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

~~CLERK~~
SO. DIST. OF GA.

MARION WIGGS,)
)
Plaintiff,)
)
v.)
)
JOEY WIGGINS, ROME FLOYD COUNTY)
PARKS AND RECREATION AUTHORITY,)
FLOYD COUNTY PRISON, and)
VALDOSTA STATE PRISON,)
)
Defendants.)
)
)
)

CASE NO. CV410-232

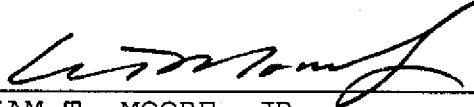
O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation. (Doc. 3.) Although no formal objections have been filed, Plaintiff sent a letter to the Court on October 13, 2010, which was docketed on October 20, 2010. (Doc. 5.) This appears to be an attempt to amend the complaint by modifying or adding allegations against Defendant Valdosta State prison. Consideration of this filing is left to the Court receiving transfer of this case. Even after reviewing Plaintiff's letter, the Magistrate Judge's conclusion that venue is not proper in the Southern District of Georgia remains sound.¹

¹ Any incident occurring at Valdosta State Prison in Lowndes County, Georgia was within the Valdosta Division of the Middle District of Georgia. 28 U.S.C. § 90(b)(6). Regardless, none of the alleged events occurred in the Southern District of Georgia. The transferee court is free to make its own determination

After a careful de novo review, the Court concurs with the Magistrate Judge's Report and Recommendation. Therefore, the Court **ADOPTS** the same as its opinion. Accordingly, this case is **TRANSFERRED** to the Northern District of Georgia, Rome Division. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 17th day of November 2010.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

concerning venue as to any claims involving Valdosta State Prison.