

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

AUGUSTA DIVISION

WILLIE JAMES TERRELL, JR.,)
)
 Petitioner,)
)
 v.) CV 117-159
)
 GREGORY DOZIER, Commissioner; D.O.C.;)
 W.A.S.P.; SAMUEL S. OLENS, A.G.; T.J.)
 CONLEY, Warden; KARL FORT, Deputy)
 Warden of Security; STEVEN WILLIAMS,)
 Administrative Segregation Unit Manager;)
 and CHRIS CARR, A.G.,)
)
 Respondents.)

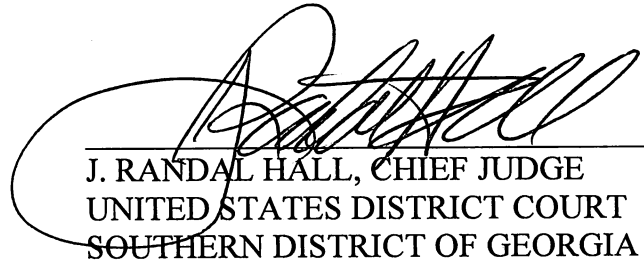
ORDER

Petitioner requests federal habeas corpus relief under 28 U.S.C. § 2254, challenging disciplinary proceedings conducted at Washington State Prison in Davisboro, Georgia, which is located in the Middle District of Georgia. (Doc. no. 1.) Petitioner filed a similar petition on August 21, 2017 seeking what appears to be identical relief, and this Court transferred that petition to the Middle District of Georgia. See Terrell v. Conley et al., CV 117-101, doc. nos. 1, 3 (S.D. Ga. Aug. 21, 2017). That case is still pending in the Middle District. See Terrell v. Conley et al., CV 517-324 (M.D. Ga. Aug. 21, 2017).

While the Court is hesitant to characterize the nature of Petitioner's claim, venue is proper in the Middle District regardless of whether the petition is properly characterized under § 2241 or § 2254 because it is the practice of this Court to transfer an action to the district in which the original proceedings were conducted. See 28 U.S.C. § 2241(d); see also

Fernandez v. United States, 941 F.2d 1488, 1495 (11th Cir. 1991) (explaining § 2241 petitions are properly brought in the district of incarceration); Bell v. Watkins, 692 F.2d 999, 1013 (5th Cir. 1982) (approving transfer of § 2254 petition from district of incarceration to district where petitioner was convicted). Therefore, the Court **ORDERS** the transfer of this action to the United States District Court for the Middle District of Georgia, Macon Division, for further consideration and **DIRECTS** the Clerk to immediately forward the file to that District.

SO ORDERED this 6th day of December, 2017, at Augusta, Georgia.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA