

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

LESLIE S. PRUITT,)	
)	
Petitioner,)	
)	
v.)	CV418-013
)	
PHILLIP HALL, Warden,)	
)	
Respondent.)	

ORDER

Leslie Pruitt is a prisoner housed at Telfair State Prison in Telfair County, Georgia, for crimes committed in Douglas County, Georgia. Doc. 1 at 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, seeking review of his state court conviction. Doc. 1 at 1-6.

He evidently chose to file his § 2254 petition in this judicial district because he is incarcerated in Telfair County. *See* 28 U.S.C. § 90(c)(2) (Dublin division). He was convicted, however, in Douglas County, which lies within the Northern District of Georgia. 28 U.S.C. § 90(a)(2). A federal habeas petitioner is allowed to file his petition in either the district where he was convicted or in the district where he is confined.

28 U.S.C. § 2241(d); *Wright v. Indiana*, 263 F. App'x 794, 795 (11th Cir. 2008). Hence, both this Court and the Northern District concurrently have jurisdiction to hear his case.

Nevertheless, it is longstanding judicial policy and practice to funnel such petitions into the district within which the state prisoner was convicted, since that will be the most convenient forum. *Mitchell v. Henderson*, 432 F.2d 435, 436 (5th Cir. 1970); *see Wright*, 263 F. App'x at 795. That practice also fosters an equitable distribution of habeas cases between the districts. This case is therefore **TRANSFERRED** to the Northern 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 17th day of January, 2018.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA