

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

TERRY P. HYSER,)
Petitioner,)
vs.) No. 1:06-cv-592-DFH-VSS
JOHN R. VANNATTA,)
Respondent.)

Entry Transferring Action to Northern District of Indiana

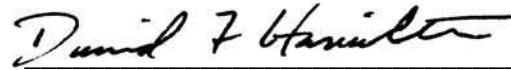
This cause is before the court on the petition of Terry P. Hyser for a writ of habeas corpus.

Whereupon the court, having read and examined such petition, and being duly advised, now finds that the petitioner is confined at a facility in the Northern District of Indiana, that in this action he attacks a prison disciplinary proceeding in which he suffered the loss of earned good time, and that the disciplinary proceeding took place at the same prison (in the Northern District of Indiana).

Pursuant to 28 U.S.C. § 2241(d), the proper venue for this action is the Northern District of Indiana. When venue is improper, the district court has the discretion to either dismiss the case or transfer it "in the interest of justice." 28 U.S.C. § 1406(a). In this case, transfer of the cases to the District with proper venue is the course which will be taken.

IT IS THEREFORE ORDERED THAT THE ABOVE ACTION IS TRANSFERRED to the United States District Court for the Northern District of Indiana at South Bend, Indiana.

So ordered.



DAVID F. HAMILTON, JUDGE
United States District Court
Southern District of Indiana

Date: April 18, 2006

Distribution:

Terry P. Hyser
DOC #953118
Miami Correctional Facility
P.O. Box 900
Bunker Hill, IN 46914