

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

OLAKWESU Y. ELBEY,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 1:10-cv-425-SEB-JMS
	)	
CARL S. HENDERSON,	)	
	)	
Respondent.	)	

**Entry Transferring Action to Southern District of Ohio**

This cause is before the court on the petition of Olakwesu Elbey for a writ of habeas corpus. Elbey is charged with an offense in state court in Montgomery County, Ohio. That charge is pending.

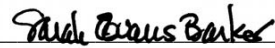
Pursuant to 28 U.S.C. § 2241(d), the proper venue for this action is the Southern District of Ohio. When venue is improper, the district court has the discretion to either dismiss the case or transfer it "in the interest of justice." 28 U.S.C. § 1406(a). In this case, transfer of the case to the District 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 Southern District of Ohio at Dayton, Ohio.

Date: 04/13/2010

Distribution:

Olakwesu Y. Elbey  
204 S. Woodard Avenue  
Dayton, OH 45407



SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana