

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

DONNIE EARL DUKE, DOC 591365 SO 25601

Petitioner

v

JOHNNY SUMLIN, and THE ATTORNEY GENERAL OF THE STATE OF MARYLAND

Respondents

\* \* \* \* \*

Civil Action No. GJH-15-2956

FILED U.S. DISTRICT COURT DISTRICT OF MARYLAND 2015 OCT -6 9P 4: 03 CLERK'S OFFICE AT GRETHER BELT BY DEPUTY

MEMORANDUM OPINION

In the above-captioned Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, Donnie Earl Duke, a self-represented petitioner, challenges his Louisiana State conviction for burglary. Duke has also filed a Motion to Proceed in Forma Pauperis.

Duke, an inmate at the Claibourne Parish Detention Center<sup>1</sup> in Homer, Louisiana, is challenging a Louisiana state conviction. His Petition must be filed in the judicial district where he is confined. See 28 U.S.C. § 2241(a). This Court does not have jurisdiction to consider the claims asserted.<sup>2</sup>

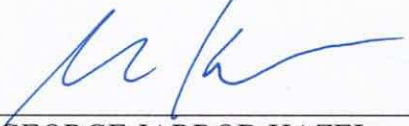
The Court finds a transfer of this case would be in the interests of justice as the original action, conviction and sentence did not occur in Maryland, nor is Petitioner confined in Maryland. See 28 U.S.C. § 2241(d). Accordingly this case will be transferred to the United

<sup>1</sup> Respondent Johnny Sumlin is warden. See http://www.lasallecorrections.com/locations/louisiana/claiborne-parish-detention-center/?back=locations.

<sup>2</sup> It is unclear why Duke filed the Petition in the District of Maryland. He has no record of criminal conviction in this Court or in the state courts of Maryland.

States District Court for the Western District of Louisiana (Shreveport) for all further proceedings. 28 U.S.C. §§ 1404(a), 2241(d). An accompanying Order will be entered on the docket.

10/6/2015  
Date

  
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GEORGE JARROD HAZEL  
UNITED STATES DISTRICT JUDGE