

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

JAMES ANTHONY SWILLEY

PETITIONER

V.

CIVIL ACTION NO.: 1:16CV53-GHD-DAS

STATE OF MISSISSIPPI

RESPONDENT

**ORDER TRANSFERRING CAUSE TO THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

This matter comes before the Court, *sua sponte*, upon consideration of the petition for writ of habeas corpus filed in this cause on March 29, 2016, in which Petitioner contests the conviction and sentence he received in the Circuit Court of Copiah, Mississippi. The Court finds that Copiah County, Mississippi, is located in the Southern District of Mississippi.

Because Mississippi has two federal judicial districts, the instant application is proper either in the district court for the district where Petitioner is in custody, or in the district court for the district wherein sits the State court that convicted and sentenced Petitioner. *See* 28 U.S.C. § 2241(d). Since Petitioner is contesting the conviction and sentence he received in the Circuit Court of Copiah County, Mississippi, which is in the Southern District of Mississippi, the Court will transfer the instant application to the Southern District for hearing and determination. *See id.*

Accordingly, in the exercise of this Court's discretion and in the furtherance of justice, it is hereby **ORDERED** that this civil action be transferred to the United States District Court for the Southern District of Mississippi.

THIS the 30th day of March, 2016.



SENIOR U.S. DISTRICT JUDGE