Davidson v. Hacker et al Doc. 7

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

DEAN DAVIDSON,)	
Petitioner,)	No. 4:23-cv-324-RHH
v.)	NO. 4.25-CV-524-KIIII
DENISE HACKER, et al.,)	
Respondents.)	

OPINION, MEMORANDUM AND ORDER OF TRANSFER

Petitioner, who is presently in custody at the Southeast Mental Health Center in Farmington, Missouri, has filed a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. For the following reasons, the Court will transfer this case to the United States District Court for the Western District of Missouri.

In the petition, petitioner challenges judgments entered in the Circuit Courts of Callaway County and Camden County, Missouri, case numbers 07CW-PR00040 and "CR-203-789FX." (ECF No. 1 at 1). Callaway County and Camden County are located within the Western District of Missouri. *See* 28 U.S.C. § 105(b)(4). The Southeast Mental Health Center is located within the Eastern District of Missouri. *See* 28 U.S.C. § 105(a)(1).

Pursuant to 28 U.S.C. § 2241(d), the district courts for the Eastern District of Missouri and the Western District of Missouri have concurrent jurisdiction to hear this case. In this circumstance, the district court in which the petition originally is filed may, in the exercise of its discretion and in the furtherance of justice, transfer the case to the other district for hearing and determination. *Id.* Also, for the convenience of the parties and witnesses and in the interest of

justice, the district court may transfer any civil action to any other district or division where it

might have been brought. 28 U.S.C. § 1404(a).

Transfer of this action is appropriate because petitioner challenges the judgments of

circuit courts located within the Western District of Missouri, the relevant records are located

there, and if hearings are required, the Western District of Missouri would be more convenient

for witnesses. In addition, the Court has entered an administrative order stating that, absent any

unusual circumstances, any habeas petition challenging a judgment arising from a proceeding in

the Western District of Missouri should be transferred there. In re Business of the Court, January

27, 1986. The Court will therefore order this case transferred to the United States District Court

for the Western District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall transfer this case to the United States

District Court for the Western District of Missouri. See 28 U.S.C. § 2241(d).

Dated this 30th day of June, 2023.

HENRY EDWARD AUTREY

UNITED STATES DISTRICT JUDGE

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