

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOVANN L. MARTIN,

Petitioner,

-against-

WARDEN, FCI DANBURY,

Respondent.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 09/25/2024

24-CV-7231 (LJL)

TRANSFER ORDER

LEWIS J. LIMAN, United States District Judge:

Petitioner, who is currently incarcerated at FCI Danbury in Connecticut, brings this *pro se* petition for a writ of *habeas corpus* under 28 U.S.C. § 2241. For the following reasons, this petition is transferred to the United States District Court for the District of Connecticut.

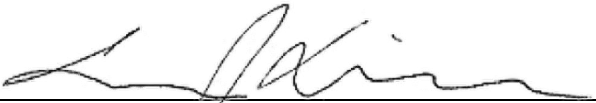
In order to entertain a *habeas corpus* petition under 28 U.S.C. § 2241, a court must have jurisdiction over the custodian. *See Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 494-95 (1973) (writ of *habeas corpus* does not act upon the prisoner who seek relief, but upon his or her custodian). Thus, jurisdiction of a *habeas* petition challenging a petitioner's physical confinement generally lies in the district of his confinement. *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004). Petitioner is currently detained at FCI Danbury, which is located in the judicial district of the United States District Court for the District of Connecticut. 28 U.S.C. § 86. Therefore, in the interest of justice, this Court transfers this petition to the United States District Court for the District of Connecticut. *See* 28 U.S.C. § 1406(a).

The Clerk of Court is directed to transfer this action to the United States District Court for the District of Connecticut. This order closes the case in this District.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: September 25, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', written over a horizontal line.

LEWIS J. LIMAN
United States District Judge