

**IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF NORTH CAROLINA
 ASHEVILLE DIVISION
 1:06CV124-MU-02**

FREDDIE THOMPSON,)
Petitioner,)
)
v.)
)
STATE OF NORTH CAROLINA,)
Respondent.)
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THIS MATTER comes before the Court on initial review of the petitioner's form Petition for a Writ of Habeas Corpus under 28 U.S.C. §2254, filed April 12, 2006. For the reasons stated herein, the subject Petition must be transferred to the United States District Court for the Middle District of North Carolina.

According to the petitioner's Petition, he is seeking to challenge two separate convictions which he sustained in 1983 in the State Court of North Carolina. In particular, the petitioner seeks to argue that he is not guilty of the offenses for which he has been convicted and sentenced.

Critically, however, the petitioner's Petition further reflects that the subject convictions were imposed in the Superior Court of Orange County, which Court is situated within the territorial jurisdiction of the United States District Court for the Middle District of North Carolina. Consequently, pursuant to the provisions of 28 U.S.C. §2241(d), and in accordance with a joint

Order of the United States District Courts for the Eastern, Middle and Western Districts of North Carolina, this matter, including a certified copy of this Order, will be transferred to the United States District Court for the Middle District of North Carolina--that is, to the judicial district within which the State Court was held which convicted and sentenced the petitioner.

NOW, THEREFORE, IT IS ORDERED:

1. That the Clerk of Court immediately shall **TRANSFER** the petitioner's Petition for Writ of Habeas Corpus to the United States District Court for the Middle District of North Carolina; and

2. That the Clerk shall send certified copies of this Order to the Clerk of the United States Court for the Middle District of North Carolina and to the petitioner.

SO ORDERED.

Signed: April 13, 2006



Graham C. Mullen
United States District Judge

