

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:08CV451-03-MU

IVORY D. ALLEN, )  
)  
Petitioner, )  
)  
v. )  
)  
DAVID ELLIOTT, Superintendent, )  
)  
Respondent. )  
\_\_\_\_\_ )

**ORDER**

**THIS MATTER** comes before the Court on initial review of Petitioner’s Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 filed September 29, 2008 (Doc. No. 1.) Upon careful consideration by the Court, for the reasons set forth herein, the Plaintiff’s Complaint will be transferred to the federal District Court for the Eastern District of North Carolina.

Ivory D. Allen, a state prisoner, was convicted pursuant to a guilty plea in Nash County, which is in the Eastern District of North Carolina. The interjurisdictional agreement among the three federal district courts within North Carolina direct transfer of federal habeas petitions to the federal district which encompasses the petitioner’s county of conviction.

Therefore, the Clerk is DIRECTED to transfer this habeas petition, in its entirety, to the United states District for the Eastern District of North carolina. The Clerk si further directed to close the matter within this district.

**SO ORDERED.**

Signed: October 1, 2008

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

