

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:18-cv-8-FDW**

<b>MARC ASHLEY BARNES,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>WARDEN OF LEE UNITED STATES, PENITENTIARY,</b>	)	
	)	
	)	
<b>Respondent.</b>	)	
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**THIS MATTER** is before the Court on Petitioner’s habeas corpus petition, brought pursuant to 28 U.S.C. § 2241, (Doc. No. 1).


On January 12, 2018, Petitioner filed this writ of habeas corpus petition, pursuant to 28 U.S.C. § 2241. Petitioner challenges the BOP’s computation of his federal sentence, contending that the BOP failed to credit time that Petitioner spent in state custody while serving his federal sentence.

Petitioner is confined at Lee Federal Prison, which is in the Western District of Virginia. Because the Section 2241 petition is properly filed in Petitioner’s district of confinement, this Court will transfer the petition to the Western District of Virginia. See United States v. Vance, 563 Fed. App’x 277, 278 (4th Cir. 2014) (“A prisoner wishing to challenge the BOP’s computation or execution of a federal sentence may do so via a petition for a writ of habeas corpus under 28 U.S.C. § 2241 . . . in the district of his confinement following exhaustion of available administrative remedies.”).

**IT IS, THEREFORE, ORDERED that:**

1. This action is transferred to the Western District of Virginia.
2. The Clerk is directed to terminate this action after transferring it to the Western District of Virginia.

Signed: January 19, 2018

  
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Frank D. Whitney  
Chief United States District Judge

