

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

AARON D. TUBBS,	)	
	)	CASE NO. 1:17CV1571
Petitioner,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
KIMBERLY CLIPPER, Warden,	)	
	)	
Respondent.	)	<b><u>MEMORANDUM OF OPINION</u></b>

*Pro Se* Petitioner Aaron D. Tubbs, an inmate in state custody at the Lorain Correctional Institution, brings this Petition for Writ of Habeas Corpus pursuant to [28 U.S.C. § 2254](#). He is serving a 26-year sentence imposed by the Miami County, Ohio Court of Common Pleas in [Case No. 12 CR 00032](#) for attempted murder, aggravated robbery, drug trafficking, having a weapon while under disability, and a firearm specification. Miami County, Ohio is located within Ohio's southern federal judicial district. The Lorain Correctional Institution is located within Ohio's northern federal judicial district. Because Petitioner challenges the conviction of a state court within the Southern District of Ohio, but is in custody in the Northern District of Ohio, both districts have concurrent jurisdiction over the action. [28 U.S.C. § 2241\(d\)](#).

This Court has the discretion to transfer this action to the Southern District for hearing and determination. *Id.* A transfer to the Southern District is appropriate in this case, because it is the more convenient forum and the evidence is more readily accessible in the district where Petitioner was convicted. See [Bell v. Watkins, 692 F.2d 999, 1013 \(5th Cir. 1982\)](#), *cert. denied*,

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[464 U.S. 843 \(1983\)](#); *see also* [Braden v. 30th Judicial Circuit Court of Ky., 410 U.S. 484, 497 n.13 \(1973\)](#); .

Accordingly, this action is transferred for all further proceedings to the United States District Court for the Southern District of Ohio, Western Division at Dayton.

IT IS SO ORDERED.

August 28, 2017  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge