

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

TOMMY DAVIS,
Petitioner,
v.
RANDY WORKMAN,
Respondent.
Case No. CIV-11-209-D

ORDER TRANSFERRING CASE

This matter is before the Court for review of the Report and Recommendation [Doc. No. 6] issued by United States Magistrate Judge Robert E. Bacharach pursuant to 28 U.S.C. § 636(b)(1). Judge Bacharach recommends the transfer of this habeas action pursuant to 28 U.S.C. § 1631, to the United States District Court for the Eastern District of Oklahoma.

Petitioner has not filed a timely objection to the Report nor requested additional time to object, although he was expressly advised of the right to object, the deadline for objections, and the consequences of failing to object. Thus, the Court finds that Petitioner has waived further review of the transfer issue. See Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991); see also United States v. 2121 East 30th Street, 73 F.3d 1057, 1060 (10th Cir. 1996). Accordingly, the Court adopts the Report and Recommendation [Doc. No. 6] in its entirety.

IT IS THEREFORE ORDERED that this action is transferred to the United States District Court for the Eastern District of Oklahoma.

IT IS SO ORDERED this 31st day of March, 2011.

Handwritten signature of Timothy D. DeGiusti

TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE