

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

ANDREW THOMAS BURNS, SR., )
Petitioner, )
v. ) Case No. CIV-11-962-D
DAVID C. MILLER, Warden, )
Respondent. )

ORDER FOR TRANSFER

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Bana Roberts pursuant to 28 U.S.C. § 636(b)(1). Judge Roberts recommends the transfer of this habeas action pursuant to 28 U.S.C. § 2241(d), to the United States District Court for the Northern District of Oklahoma.

Petitioner has filed a timely response stating that he does not object to the recommended transfer. Accordingly, 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). Therefore, the Court adopts the Report and Recommendation [Doc. No. 5] in its entirety.

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

IT IS SO ORDERED this 19th day of September, 2011.

Handwritten signature of Timothy D. DeGiusti

TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE