

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

SHAREE HALL,)
)
Petitioner,)
)
v.) Case No. CIV-16-1336-D
)
WARDEN [AND] BUREAU)
OF PRISONS,)
)
Respondents.)

ORDER OF TRANSFER

Plaintiff, a federal prisoner appearing pro se, filed her Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Plaintiff challenged an October 2015 disciplinary hearing in which she was found guilty of misconduct and good conduct credits were deducted from her sentence. The matter was referred to Magistrate Judge Gary Purcell for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B).

On November 28, 2016, Judge Purcell filed his Report and Recommendation (R&R) in which he recommended that Plaintiff's action be transferred to the United States District Court for the Eastern District of Pennsylvania, her district of confinement. *See Rumsfeld v. Padilla*, 542 U.S. 426, 447 (2004) ("[A] § 2241 habeas petitioner ... should name [her] warden as respondent and file the petition in the district of confinement."); *Haugh v. Booker*, 210 F.3d 1147, 1149 (10th Cir.

2000) (“A petition under 28 U.S.C. § 2241 attacks the execution of a sentence rather than its validity and must be filed in the district where the prisoner is confined.”).

In his Report and Recommendation, Judge Purcell advised Petitioner of her right to file objections to the same and directed any objections to be filed no later than December 19, 2016. Judge Purcell further admonished Petitioner that failure to timely object would constitute a waiver of the right to appellate review of the factual and legal issues addressed in the Report and Recommendation. The deadline for filing objections has expired and to date, Petitioner has neither filed an objection nor sought an extension of time in which to do so. Accordingly, the Report and Recommendation [Doc. No. 9] is **ADOPTED** as though fully set forth herein.

IT IS THEREFORE ORDERED that Petitioner’s action is **TRANSFERRED** to the United States District Court for the Eastern District of Pennsylvania. The Court Clerk is hereby directed to transfer this matter forthwith.

IT IS SO ORDERED this 28th day of December, 2016.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE