

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

MAIONG XIONG,)	
)	
Petitioner,)	
)	
v.)	CIV-21-081-RAW
)	
OKLAHOMA COUNTY, OK,)	
)	
Respondent.)	

OPINION AND ORDER

On March 15, 2021, Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, challenging the execution of her sentences in Oklahoma County District Court Case No. CRF-2016-4165. She alleges she currently is on probation, and her address is in Joplin, Missouri. *Id.*

Petitioner states she is challenging the length of her probation. She asserts that in 2019, the Oklahoma Smart Justice Reform Act was rendered retroactive and should have been applied to her sentences. She asks for modification of her sentences from ten years to five years of probation, which she already has served, with expungement of her record.

A § 2241 habeas petition must be filed in the district where the petitioner is confined. *Haugh v. Booker*, 210 F.3d 1147, 1149 (10th Cir. 2000); *Bradshaw v. Story*, 86 F.3d 164, 166 (10th Cir. 1996). In Petitioner's case, however, she has been released on probation and lives in another state, and she has not shown any connection to the Eastern District of Oklahoma. Because Petitioner's state criminal proceedings occurred within the territorial jurisdiction of the United States District Court for the Western District of

Oklahoma, this Court finds this action should be transferred in the interest of justice to the Western District. *See* 28 U.S.C. § 1631; 28 U.S.C. § 2241(d).

ACCORDINGLY, this action is TRANSFERRED to the United States District Court for the Western District of Oklahoma.

IT IS SO ORDERED this 15th day of April 2021.

A handwritten signature in cursive script that reads "Ronald A. White". The signature is written in black ink and is positioned above a horizontal line.

Ronald A. White
United States District Judge
Eastern District of Oklahoma