

his deportation but, rather, his indefinite detention pending removal. Petitioner indicates that his removal within the foreseeable future is unlikely as he has an appeal pending before the Board of Immigration Appeals (BIA). He appears to be asserting that his detention in ICE custody while awaiting deportation violates his constitutional rights pursuant to the standards announced in Zadvydas v. Davis, 533 U.S. 678 (2001). He seeks his release on bond. See Doc. 1, p.11.


Discussion

Relief pursuant to § 2241 may only be sought in the district court having jurisdiction over a petitioner's custodian. See Rumsfeld v. Padilla, 542 U.S.426, 442 (2004) (jurisdiction for habeas corpus petitions challenging present physical confinement lies in only one district; the district of confinement); Braden v. 30th Judicial Circuit Court, 410 U.S. 484, 494-95 (1973).

Petitioner's present place of confinement, the Cambria County Prison, is located within the jurisdiction of the United States District Court for the Western District of Pennsylvania. See 28 U.S.C. § 118(c).

As such, this Court lacks jurisdiction over Warden Smith. A court may transfer any civil action for the convenience of the parties or witnesses, or in the interest of justice, to any district where the action might have been brought. 28 U.S.C. § 1404(a). Consequently, this matter will be transferred to the United States District Court for the Western District of Pennsylvania pursuant to

§ 1404(a). An appropriate Order will enter.


RICHARD P. CONABOY
United States District Judge

DATED: AUGUST ^{14th} 2017