

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

CHARLES D. JOHNSON,)	
)	
Petitioner,)	
)	
v.)	No.: 3:18-CV-275-HSM-HBG
)	
RANDY LEE, Warden,)	
)	
Respondent.)	

MEMORANDUM OPINION

This is a pro se prisoner’s petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, in which Petitioner challenges the constitutionality of his confinement pursuant to a 1998 guilty plea to first degree felony murder and especially aggravated robbery in Jackson County, Tennessee [Doc. 1 p. 1–2].

Under 28 U.S.C. § 2241(d), a petitioner may file a habeas corpus application in the district where his judgment was entered or in the district where he is incarcerated. Petitioner is presently confined in the Northeast Correctional Complex (“NECX”) in Mountain City, Tennessee, and his judgment of conviction was entered by a state court in Jackson County, Tennessee. Thus, venue for this action is proper in both the Eastern and Middle Districts of Tennessee.¹ A petitioner’s place of confinement may change, however, while the district of his convictions will remain constant. For this reason, the consistent practice in the Tennessee federal courts has been to transfer habeas petitions to the district in which the convicting court is located.

¹ NECX, where Petitioner is confined, is located in Johnson County, Tennessee, which is located in the Eastern District. *See* 28 U.S.C. § 123(a)(2). Jackson County, the situs of Petitioner’s conviction, lies within the Northeastern Division of the Middle District of Tennessee. *See* 28 U.S.C. § 123(b)(2).

As the Court is authorized to transfer a case such this to another District “in the interest of justice,” 28 U.S.C. § 1406(a), the Court will **DIRECT** the Clerk to **TRANSFER** this action to the United States District Court for the Northeastern Division of the Middle District of Tennessee, at Cookeville, and to close this case.

AN APPROPRIATE ORDER WILL ENTER.

ENTER :

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE