

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

JUAN JOSE ZUNIGA-HERNANDEZ §
VS. § CIVIL ACTION NO. 1:06-CV-222
UNITED STATES OF AMERICA §

MEMORANDUM OPINION REGARDING TRANSFER

Juan Jose Zuniga-Hernandez, an inmate currently confined at the low security federal prison in Beaumont, Texas, brings this motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255.

The above-styled action was referred to the undersigned magistrate judge pursuant to 28 U.S.C. § 636 and the Local Rules for the Assignment of Duties to the United States Magistrate Judge for findings of fact, conclusions of law, and recommendations for the disposition of the case.

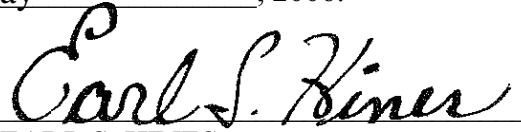
Discussion

A prisoner in custody under a federal sentence may move the court which imposed the sentence to vacate, set aside or correct the sentence. 28 U.S.C. § 2255. A motion to vacate must be filed in the district where the person seeking relief was sentenced. *Solsona v. Warden, F.C.I.*, 821 F.2d 1129 (5th Cir. 1987). As movant was sentenced in the United States District Court for the Eastern District of Louisiana, this motion to vacate sentence should be transferred to that court.

Conclusion

For the reasons set forth above, this action shall be transferred to the United States District Court for the Eastern District of Louisiana. An order transferring the case shall be entered in accordance with this Memorandum Opinion.

SIGNED this 2 day of May, 2006.

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

EARL S. HINES
UNITED STATES MAGISTRATE JUDGE