

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

CHRISTOPHER ALLEN SIMONS §
VS. § CIVIL ACTION NO. 1:10cv319
DIRECTOR, TDCJ-CID §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Christopher Allen Simons, an inmate confined in the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

In 2000, petitioner was convicted of aggravated sexual assault in the 258th District Court of Polk County, Texas. He was sentenced to 40 years imprisonment.

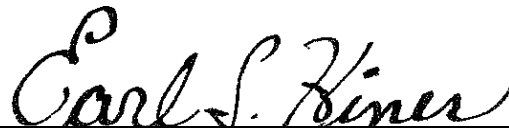
Petitioner filed this petition for writ of habeas corpus in the district and division in which he is incarcerated. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated.

As stated above, petitioner was convicted in Polk County, Texas. Pursuant to 28 U.S.C. § 124, Polk County is located in

the Eastern District of Texas. However, Polk County is located in the Lufkin Division, rather than the Beaumont Division of this court. As all records and witnesses involving this action may be located in the Lufkin Division of this court, the transfer of this action to such division would further justice.

Accordingly, this case should be transferred to the Lufkin Division of this court. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 9 day of June , 2010.

A handwritten signature in black ink that reads "Earl S. Hines". The signature is written in a cursive style with a large initial "E".

EARL S. HINES
UNITED STATES MAGISTRATE JUDGE