

United States District Court  
Southern District of Texas

**ENTERED**

May 15, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION**

MICHAEL HABINIAK,

Plaintiff,

v.

MNB VENTURES, INC., *et al.*,

Defendants.

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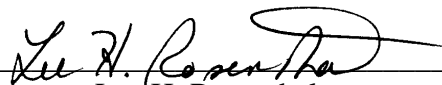
CIVIL ACTION NO. M-17-343

**ORDER DENYING THE DEFENDANT’S OBJECTION TO NOTICE OF TRANSFER**

The plaintiff, Michael Habiniak, objects to the transfer of his case from the Southern District of Texas to the Eastern District of Texas. (Docket Entry No. 46). Mr. Habiniak previously moved that his case be assigned to a neutral Article III judge outside of the Southern District of Texas, because his case named several judges and the Clerk of Court of the Southern District of Texas as defendants.

The Southern District of Texas judges recused themselves from the case. The Chief Judges from the Southern District of Texas and Eastern District of Texas jointly agreed that Mr. Habiniak’s request be granted and that the case should be transferred and assigned to a district judge in the Eastern District of Texas, in accordance with 28 U.S.C. § 295 and Southern District of Texas General Order 2018-7, Section 30.A. The transfer was properly made. The objection, (Docket Entry No. 46), is overruled.

SIGNED on May 15, 2018, at Houston, Texas.

  
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Lee H. Rosenthal  
Chief United States District Judge