

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

CARLO B. RELIFORD,)	
)	
Plaintiff,)	
)	
v.)	CV416-00059
)	
STATE OF GEORGIA,)	
)	
Defendant.)	

ORDER

Carlo B. Reliford is a prisoner housed at Montgomery State Prison for crimes committed in Dougherty County, Georgia. Doc. 1; *see* Georgia Department of Corrections Inmate Locator, <http://www.dcor.state.ga.us/GDC/OffenderQuery/>.¹ He has filed a “petition for writ of habeas corpus,” seeking the recalculation of his sentence and credit for time served. *Id.* at 5.

He evidently filed his § 2254 petition in this judicial district because he is incarcerated here. Dougherty County, however, lies within the Middle District of Georgia, 28 U.S.C. § 90(b)(5), and federal law allows his petition to be filed in the district within which he was convicted or in

¹ The Inmate Locator identifies petitioner as “Carlos Bryan Reliford,” housed at Montgomery State Prison. In his pleadings, however, Reliford refers to himself as “Carlo B. Reliford,” housed at Bulloch County Correctional Facility.

the district within which he is confined. 28 U.S.C. § 2241(d); *Wright v. Indiana*, 263 F. App'x 794, 795 (11th Cir. 2008). Hence, this Court and the Middle District concurrently have jurisdiction to hear his case.

However, it is longstanding judicial policy and practice to funnel such petitions into the district within which the state prisoner was convicted, since that will be the most convenient forum. *Mitchell v. Henderson*, 432 F.2d 435, 436 (5th Cir. 1970); see *Wright*, 263 F. App'x at 795. That also fosters an equitable distribution of habeas cases between the districts. This case is therefore **TRANSFERRED** to the Middle District of Georgia for all further proceedings. See 28 U.S.C. § 1404(a) (permitting a district court to transfer any civil action to another district or division where it may have been brought for the convenience of parties and witnesses and in the interest of justice); *Rufus v. Kemp*, 2013 WL 2659983 at * 1 (S.D. Ga. June 12, 2013).

SO ORDERED, this 31st day of October, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA