

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KENNETH G. GEHRING,

Petitioner,

v.

ORDER

WILLIAM POLLARD,

05-C-536-S

Respondent.

Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. On October 11, 2005 respondent moved to dismiss petitioner's petition for lack of venue or in the alternative to transfer it to the United States District Court for the Eastern District of Wisconsin. This motion has been fully briefed and is ready for decision. Petitioner agrees that his case should be transferred to the United States District Court for the Eastern District of Wisconsin.

Petitioner is in custody at the Green Bay Correctional Institution, Green Bay, Wisconsin which is in the Eastern District of Wisconsin. He is challenging a Florence County conviction. Florence County is also in the Eastern District. Accordingly, petitioner's petition should have been filed in the United States District Court for the Eastern District of Wisconsin. 28 U.S.C. § 2241(d).

In the interests of justice the Court will grant defendant's motion to transfer the above entitled action to the United States District Court for the Eastern District of Wisconsin. 28 U.S.C. § 1406(a).

ORDER

IT IS ORDERED that respondent's motion to transfer this case to the United States District Court for the Eastern District of Wisconsin is GRANTED.

IT IS FURTHER ORDERED that the above entitled action is TRANSFERRED to the United States District Court for the Eastern District of Wisconsin.

Entered this 24th day of October, 2005.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge