

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

VIRGIL TUTTLE, Petitioner v. JAMES T. WYNDER, et al., Defendants	CIVIL ACTION No. 06-cv-5330
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MEMORANDUM AND ORDER

Petitioner has filed a petition in this court seeking relief pursuant to 28 U.S.C. §2254. Petitioner was convicted in the Court of Common Pleas of Wayne County, Pennsylvania. Petitioner is currently incarcerated in a correctional facility located in Luzerne County, Pennsylvania. Whereas both Wayne County and Luzerne County are located within the territorial confines of the United States District Court for the Middle District of Pennsylvania, the United States District Court for the Eastern District of Pennsylvania does not have venue over this matter pursuant to 28 U.S.C. §2241(d). Accordingly, it is hereby ORDERED as follows:

1. This civil action is TRANSFERRED to the United States District Court for the Middle District of Pennsylvania.
2. The Clerk of the United States District Court for the Eastern District of Pennsylvania shall mark this matter as CLOSED in the United States District Court for the Eastern District of Pennsylvania for all purposes, including statistics.

BY THE COURT:

MARVIN KATZ, S.J.