

MONTRELL D. GREEN,)
)
 Petitioner,) Civil Action No. 5: 22-295-DCR
)
 V.)
)
 STATE OF FLORIDA,) **MEMORANDUM ORDER**
)
 Respondent.)

Petitioner Montrell Green is confined at the Suwannee Correctional Institution in Live Oak, Florida. He has filed a “Motion for Post-Conviction Relief Pursuant to Florida Rules of Criminal Procedure 3.850(M) Petition for Habeas Corpus.” [Record No. 1] Upon initial review of the petition, United States Magistrate Judge Hanly A. Ingram observed that “even if the ‘Motion’ is construed as a federal habeas corpus petition under 28 U.S.C. § 2254 . . . the Eastern District of Kentucky is not the appropriate venue.” Green seeks to challenge a judgment entered by the Circuit Court of Lee County, Florida, which lies within the Middle District of Florida.

- 1 -

or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.” *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Accordingly, it is hereby

ORDERED as follows:

1. The Magistrate Judge’s Report and Recommendation [Record No. 4] is **ADOPTED** and **INCORPORATED** in full.

2. This matter is **TRANSFERRED** to the United States District Court for the Middle District of Florida, Jacksonville Division, for further proceedings

Dated: November 28, 2022.



A handwritten signature in black ink, appearing to read "Danny C. Reeves".

Danny C. Reeves, Chief Judge
United States District Court
Eastern District of Kentucky