

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

RICHARD L. KIGER,

Petitioner,

v.

CASE NO. 07-3095-SAC

PAUL MORRISON,

Respondent.

O R D E R

On May 7, 2007, this court entered an Order requiring petitioner to show cause why this action should not be transferred to the United States District Court for the District of Nevada. Petitioner has filed a response. Having considered all the materials filed, the court finds as follows.

The court explained in its prior order that this is not the proper venue for Mr. Kiger to litigate challenges to his conviction entered in the State of Nevada. See Braden v. 30<sup>th</sup> Judicial Circuit Court of Kentucky, 410 U.S. 484, 489-93 (1973). Mr. Kiger has now paid the filing fee in this action, and asserts that this court should "retain jurisdiction" of this matter. He makes several arguments in support of his assertion such as that Nevada officials traveled to Kansas, Kansas officials traveled to Nevada, fraudulent acts occurred in 7 states including Kansas and Nevada, and the States of Kansas and Nevada used the same evidence and both somehow relinquished their jurisdiction. None of petitioner's arguments convinces this court that this action should not be transferred to the proper venue.

28 U.S.C. 1404(a) provides that a district court, for the convenience of the parties and in the interest of justice, may transfer any civil action to any other district where it might have been brought. The transfer of this action is appropriate because petitioner's claims arise from a criminal judgment entered in Clark County, Nevada; the relevant records are located in Nevada; and if any formal proceedings are required in this case, the District of Nevada would be more convenient for witnesses.

**IT IS THEREFORE ORDERED** that this petition for habeas corpus is transferred to the United States District Court for the District of Nevada for all further review.

A copy of this order shall be transmitted to the petitioner.

**IT IS SO ORDERED.**

DATED this 24th day of May, 2007, at Topeka, Kansas.

s/Sam A. Crow  
U. S. Senior District Judge