

GENERAL ORDER NO. 95-2

JAN 20 1995

DAVID J. MALAND, CLERK

IN THE UNITED STATES DISTRICT COURT BY  
FOR THE EASTERN DISTRICT OF TEXAS DEPUTY Megna Davis

**ORDER REGARDING MAGISTRATE JUDGES' HANDLING OF  
VENUE TRANSFERS IN PRISONER CIVIL ACTIONS**

Because an order transferring venue is a non-dispositive order which may be entered by a magistrate judge pursuant to 28 U.S.C. 636(b)(1)(A), the district judges of this court conclude that it is not necessary for the magistrate judges to use the report and recommendation procedure in connection with 28 U.S.C. 1404(a) or 28 U.S.C. 2241(d) transfers of venue in prisoner civil actions. Notwithstanding contrary language in earlier referral orders by the district judges applying generally to all prisoner habeas and civil rights actions, the magistrate judges are authorized to sign orders transferring improperly filed prisoner cases to the proper district without utilizing the report and recommendation procedure.

SIGNED this the 20 day of January, 1995.

FOR THE COURT:

Richard A. Schell  
Richard A. Schell  
Chief Judge