

1 **UNITED STATES DISTRICT COURT**
2 **EASTERN DISTRICT OF CALIFORNIA**

3
4 MICHAEL SCOTT JOHNSON,

5 Petitioner,

6 v.

7 UNITED STATES PAROLE
8 COMMISSION,

9 Respondent.

Case No. 1:14-cv-02092-SMS HC

ORDER TRANSFERRING THIS CASE
TO THE U.S. DISTRICT COURT FOR
THE DISTRICT OF ARIZONA

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11 On December 31, 2014, Petitioner Michael Scott Johnson filed a *pro se* petition for writ of
12 habeas corpus pursuant to 28 U.S.C. § 2241. Shortly thereafter, Petitioner was transferred to the
13 Phoenix Federal Correction Institution, Phoenix, Arizona.

14 A habeas action is subject to jurisdictional and statutory limitations. *See Braden v. 30th*
15 *Judicial Circuit Court of Kentucky*, 410 U.S. 484 (1973). The proper respondent in a habeas corpus
16 action is the warden of the institution in which the petitioner is confined. *Rumsfield v. Padilla*, 542
17 U.S. 426, 434 (2004). Because the habeas petition must be reviewed by the district court in the
18 district where the petitioner is confined (*United States v. Giddings*, 740 F.2d 770, 772 (9th Cir.
19 1984)), this Court must transfer the petition to the District Court for District of Arizona.

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21 Accordingly, the Court hereby ORDERS that this case be TRANSFERRED to the United
22 States District Court for the District of Arizona.

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24 IT IS SO ORDERED.

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26 Dated: February 3, 2015

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE