

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN JESSIE WALKER,) No. C 09-00817 JW (PR)
Petitioner,) ORDER OF TRANSFER
vs.)
LINDA SANDERS, Warden,)
Respondent.)
_____)

Petitioner, a prisoner at the Federal Prison Camp in Lompoc, California, has filed this pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, challenging the refusal of the Bureau of Prisons to transfer him to a lesser restricted facility. (Pet. 1.)

A challenge to the execution of a federal sentence is properly brought in a petition for a writ of habeas corpus under 28 U.S.C. § 2241. See United States v. Giddings, 740 F.2d 770, 772 (9th Cir. 1984). And it is preferably brought in the district of confinement. See Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (noting that even if district court has personal jurisdiction over custodian, preferred forum is district where petitioner is confined); see also Rumsfeld v. Padilla, 542 U.S. 426, 444 (2004) (“[F]or core habeas petitions challenging present physical

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1 confinement, jurisdiction lies in only one district: the district of confinement.”).

2 Because Lompoc is in the County of Santa Barbara, which lies in the Central
3 District of California, Western Division, see 28 U.S.C. § 84(c)(2), the Court orders
4 that pursuant to 28 U.S.C. 1404(a), and in the interest of justice, this petition be
5 transferred to the United States District Court for the Central District of California,
6 Western Division.

7 The clerk shall transfer this matter and terminate any pending motions.

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9 DATED: June 30, 2009

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12 JAMES WARE
13 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

KEVIN JESSIE WALKER,

Case Number: CV09-00817 JW

Petitioner,

CERTIFICATE OF SERVICE

v.

LINDA SANDERS, Warden,

Respondent.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 7/6/2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kevin Jessie Walker 00465-111
Federal Prison Camp
3705 W. Farm Rd.
Lompoc, Ca 934436

Dated: 7/6/2009

Richard W. Wiking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk