M. CATE,

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA ARON DOUGLASS CASTLIN, Petitioner, No. CIV S-11-2579 GGH P VS.

Respondent.

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**ORDER** 

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis. This court will not rule on petitioner's request to proceed in forma pauperis.

Petitioner is incarcerated in Del Norte County and was convicted in San Luis

Obispo County. Del Norte County is in an area embraced by the United States District Court for
the Northern District of California and San Luis Obispo County is in an area embraced by the
United States District Court for the Central District of California.

Pursuant to 28 U.S.C § 2241(d), courts in both the district of conviction and the district of confinement have concurrent jurisdiction over applications for habeas corpus filed by state prisoners. Because petitioner was not convicted in this district, and is not presently confined here, this court does not have jurisdiction to entertain the application.

While both the Northern District and Central District have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973), any and all witnesses and evidence necessary for the resolution of petitioner's application are more readily available in San Louis Obispo County in the Central District. Id. at 499 n.15; 28 U.S.C. § 2241(d). Accordingly, IT IS HEREBY ORDERED that: 1. This court has not ruled on petitioner's request to proceed in forma pauperis; 2. This matter is transferred to the United States District Court for the Central District of California. 28 U.S.C. § 2241(d); 28 U.S.C. § 1406(a). DATED: October 14, 2011 /s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE GGH:kly cast2579.108b