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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 KENNETH WAYNE MILLS,

No. 2:17-cv-0873-JAM-EFB P

12 || Petitioner,

ORDER

14 CALIFORNIA DEPARTMENT OF
15 CORRECTIONS AND
REHABILITATION,

16 Respondent.

18 Petitioner is a state prisoner without counsel seeking a petition for writ of habeas corpus
19 pursuant to 28 U.S.C. § 2254.¹ He is incarcerated at the California Medical Facility in Solano
20 County, which lies in this district. However, his petition challenges a 2005 conviction for
21 aggravated mayhem imposed by the Los Angeles County Superior Court, which lies in the United
22 States District Court for the Central District of California. While both this court and the United

24 ¹ Petitioner commenced this action with a petition for writ of habeas corpus, but
25 subsequently filed two civil rights complaints. ECF Nos. 1, 8, 12. Accordingly, on July 27,
26 2017, the court directed petitioner to file an amended pleading notifying the court whether he
27 wished to proceed with this matter as a habeas action or as a civil rights action. ECF No. 14. The
28 court informed petitioner that if he failed to provide such guidance, the matter would proceed on
his initial habeas petition. Petitioner then filed two more civil rights complaints and another
habeas petition. ECF Nos. 16, 20, 23. Having failed to guide the court as ordered, this action will
proceed on petitioner's initial habeas petition.

1 States District Court in the district where petitioner was convicted have jurisdiction, *see Braden v.*
2 *30th Judicial Circuit Court*, 410 U.S. 484 (1973), any and all witnesses and evidence necessary
3 for the resolution of petitioner's application are more readily available in the county of
4 conviction. *Id.* at 499 n.15; 28 U.S.C. § 2241(d).

5 Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that this matter is
6 transferred to the Western Division of the United States District Court for the Central District of
7 California.

8 DATED: September 12, 2017.


9 EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE
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