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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROY GARCIA,
Petitioner,
v.
D. BAUGHMAN,
Respondent.

No. 2:17-cv-0883 GGH P

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. Petitioner has not paid the fee or submitted a request to proceed in forma pauperis.

The application attacks a conviction issued by the Riverside County Superior Court. Although the claim appears at first blush to reference an error of CDCR in implementing the judgment, the claim actually asserts that an error occurred in the sentencing process. While both this court and the United States District Court in the district where petitioner was convicted 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 Riverside County. Id. at 499 n.15; 28 U.S.C. § 2241(d).

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

DATED: May 1, 2017

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

Garcia.883.tfr.CDCA