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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALFRED BROOKS,
Petitioner,
v.
D. BORDERS, et al.,
Respondents.

No. 2:17-cv-2628 KJN 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 filing fee or filed an application to proceed in forma pauperis.

Petitioner is presently incarcerated at California Institution for Men in San Bernardino County. He is serving a sentence for a conviction rendered by the El Dorado County Superior Court.

Petitioner challenges the 2016 decision of the California Board of Parole Hearings to deny him parole. (ECF No. 1 at 149.) Consequently, the instant petition is one for review of the execution of a sentence imposed by a California state court. See Rosas v. Nielsen, 428 F.3d 1229, 1232 (9th Cir. 2005) (denial of parole is “a decision ‘regarding the execution’ of” a prison sentence.) As a general rule, “[t]he proper forum to challenge the execution of a sentence is the district where the prisoner is confined.” Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989).

1 Petitioner is incarcerated at California Institution for Men, Chino, California, which lies in the
2 Central District of California. See 28 U.S.C. § 84(a).

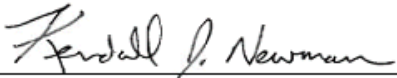
3 Pursuant to 28 U.S.C § 2241(d), courts in both the district of conviction and the district of
4 confinement have concurrent jurisdiction over applications for habeas corpus filed by state
5 prisoners. While petitioner was convicted in this district, for the reasons set forth supra, the
6 proper forum for the instant challenge is in the district of confinement. In the interest of justice,
7 this court may transfer this action “to any other district where it might have been brought.” 28
8 U.S.C. § 1404(a). Therefore, in the interest of justice, this action will be transferred to the United
9 States District Court for the Central District of California.

10 In accordance with the above, IT IS HEREBY ORDERED that this matter is transferred to
11 the United States District Court for the Central District of California. 28 U.S.C. § 2241(d); 28
12 U.S.C. § 1406(a).

13 Dated: December 20, 2017

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE