

1  
2  
3  
45 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA7  
8 DAMOUS D. NETTLES, No. C-11-2849 EMC (pr)  
9 Petitioner,10 v. **ORDER OF TRANSFER**  
11 RAUL LOPEZ, Warden,  
12 Respondent.

---

13  
14  
15 Petitioner has filed a petition for writ of habeas corpus to challenge a prison disciplinary  
16 decision on March 31, 2008 for a rule violation report issued on February 26, 2008. *See* Docket # 1,  
17 pp. 7, 32 of 53. Petitioner included the rule violation report (*see* Docket # 7-2, p. 47 of 100), but did  
18 not include the disciplinary decision that he now challenges in the 1,300+ pages of exhibits to his  
19 petition. Although the disciplinary decision occurred while he was at the Salinas Valley State Prison  
20 in Monterey County, Petitioner is now incarcerated at the Corcoran State Prison in Kings County.  
21 Kings County is within the venue of the Eastern District of California. Petitioner was convicted in  
22 Los Angeles County Superior Court. Los Angeles County is within the venue of the Central District  
23 of California. Venue is proper in a habeas action in either the district of confinement or the district  
24 of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to  
25 review the execution of a sentence, such as a claim concerning a prison disciplinary decision. *See*  
26 Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because Petitioner is  
27 confined in the Eastern District of California and challenging the execution of his sentence, pursuant  
28 to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is

**United States District Court**  
For the Northern District of California

1   **TRANSFERRED** to the United States District Court for the Eastern District of California. The  
2   Clerk shall transfer this matter forthwith.

3

4           IT IS SO ORDERED.

5

6   Dated: July 19, 2011

7

8

  
EDWARD M. CHEN  
United States District Judge

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28