

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 BERNARD A. STEPPE, 1:11-cv-01240 GSA (HC)
12
13 Petitioner, ORDER TRANSFERRING CASE TO THE
14 vs. UNITED STATES DISTRICT COURT FOR
15 WARDEN, THE CENTRAL DISTRICT OF
16 Respondent. CALIFORNIA

19 Petitioner, a state prisoner proceeding pro se, has filed a habeas corpus action pursuant to 28
20 U.S.C. § 2254.

21 The federal venue statute requires that a civil action, other than one based on diversity
22 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants reside
23 in the same state, (2) a judicial district in which a substantial part of the events or omissions giving rise
24 to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or
25 (3) a judicial district in which any defendant may be found, if there is no district in which the action may
26 otherwise be brought.” 28 U.S.C. § 1331(b).

27 In this case, the petitioner is challenging a conviction from San Bernadino County, which is in the
28 Central District of California. Therefore, the petition should have been filed in the United States District

1 Court for the Central District of California. In the interest of justice, a federal court may transfer a case
2 filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d
3 918, 932 (D.C. Cir. 1974).

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

6 IT IS SO ORDERED.

7 **Dated: August 8, 2011**

/s/ Gary S. Austin
8 UNITED STATES MAGISTRATE JUDGE

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