

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

JUAN ABELARDO LOPEZ,) No. C 11-3101 LHK (PR)
Petitioner,) ORDER OF TRANSFER
vs.)
RAUL LOPEZ,)
Respondent.)

Petitioner, proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner seeks habeas relief from his underlying criminal conviction and sentence from the Superior Court of Tulare County, which lies in the Eastern District of California. Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction or sentence are preferably heard in the district of conviction. *See* Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Here, the Eastern District of California is the district of conviction. Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California, the district of Petitioner's conviction at issue in this petition. *See* 28 U.S.C. § 1404(a). The Clerk shall transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.

DATED: 8/3/11

Lucy H. Koh
LUCY H. KOH
United States District Judge