

1 **UNITED STATES DISTRICT COURT**  
2 **EASTERN DISTRICT OF CALIFORNIA**

3  
4 MICHAEL SCOTT JOHNSON,

5 Petitioner,

6 v.

7 UNITED STATES PAROLE  
8 COMMISSION,

9 Respondent.

Case No. 1:14-cv-02092-SMS HC

ORDER TRANSFERRING THIS CASE  
TO THE U.S. DISTRICT COURT FOR  
THE DISTRICT OF ARIZONA

10  
11 On December 31, 2014, Petitioner Michael Scott Johnson filed a *pro se* petition for writ of  
12 habeas corpus pursuant to 28 U.S.C. § 2241. Shortly thereafter, Petitioner was transferred to the  
13 Phoenix Federal Correction Institution, Phoenix, Arizona.

14 A habeas action is subject to jurisdictional and statutory limitations. *See Braden v. 30<sup>th</sup>*  
15 *Judicial Circuit Court of Kentucky*, 410 U.S. 484 (1973). The proper respondent in a habeas corpus  
16 action is the warden of the institution in which the petitioner is confined. *Rumsfield v. Padilla*, 542  
17 U.S. 426, 434 (2004). Because the habeas petition must be reviewed by the district court in the  
18 district where the petitioner is confined (*United States v. Giddings*, 740 F.2d 770, 772 (9<sup>th</sup> Cir.  
19 1984)), this Court must transfer the petition to the District Court for District of Arizona.

20  
21 Accordingly, the Court hereby ORDERS that this case be TRANSFERRED to the United  
22 States District Court for the District of Arizona.

23  
24 IT IS SO ORDERED.

25 Dated: February 3, 2015

26 /s/ Sandra M. Snyder  
27 UNITED STATES MAGISTRATE JUDGE