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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

EUGENE ALLEN,  
Petitioner,

No. C 14-5453 PJH (PR)

vs.

**ORDER OF TRANSFER**

MARTIN BITER,  
Respondent.


\_\_\_\_\_ /

This is a habeas case filed pro se by a state prisoner. Plaintiff was convicted in 1972 in Amador County which is located in the Eastern District of California. He is currently incarcerated in Delano, CA, which is also in the Eastern District of California. In this petition, he argues that he is entitled to be released in light of a recent order in *Brown v. Plata*, — U.S. —, 131 S.Ct. 1910 (2011).

Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither. Therefore, this petition is transferred to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b).

**IT IS SO ORDERED.**

Dated: January 26, 2015.

  
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PHYLLIS J. HAMILTON  
United States District Judge

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