

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

**Joseph Anthony Brown,  
Petitioner,**

**v.**

**B. J. Johnson,  
Respondent.**

)  
)  
)  
)  
)  
)  
)

**1:15cv1610 (TSE/IDD)**

**ORDER**

Joseph Anthony Brown, a federal inmate proceeding pro se who is currently housed at FCI Lewisburg, Pennsylvania, originally filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 in the United States District Court for the Eastern District of California. By an Order dated December 3, 2015, the District Court for the Eastern District of California transferred the matter to the Eastern District of Virginia. (Dkt. No. 2) Because it appears that the transfer to this district was inappropriate, the case will be returned to the Eastern District of California for its further consideration.

In the Order Transferring Case, the California court stated that petitioner is a state prisoner seeking to challenge a conviction entered in “Richmond County” in the Eastern District of Virginia. (Dkt. No. 2 at p. 1) It is true that on page 2 of the petition, petitioner makes the patently mistaken assertion that his detention derives from a conviction of malicious wounding entered in 2001 in the “U.S. District Court, Richmond, VA (4th Circuit)” for which he received a three-year sentence.<sup>1</sup> However, the substantive grounds upon which petitioner seeks habeas relief pertain to a federal conviction entered in Case No. 1:08-CR-347 LJO in the Eastern District of California where petitioner apparently was found guilty of first degree murder and sentenced

---

<sup>1</sup>Efforts to locate such a case through online research have proven unsuccessful.

prison. See Pet., Ex. B at p. 2. Specifically, petitioner argues that audio transcripts from the trial of that cause in July, 2010 confirm that a clerical error was made in the transcript, and that when the error is corrected it provides “added evidence to show that he is insane” and should be housed in a mental hospital rather than federal prison. Pet. at p. 3. Attached as exhibits to the petition are an excerpt of the trial transcript from Case No. 1:08-CR-347 LJO; a letter from a California psychiatrist submitted to an Assistant Federal Defendant in Fresno, California opining that petitioner was legally insane when he assaulted his victim; and an Order on Defense Motions entered in Case No. 1:08-CR-347 LJO on July 6, 2010.

In short, this case has no nexus whatever to this district. Petitioner is not confined in the Eastern District of Virginia, and the conviction and sentence from which he seeks relief were not entered in this district. Accordingly, the Clerk will be directed to return the matter to the United States District Court for the Eastern District of California for its further consideration. Thus, it is hereby


ORDERED that this action is TRANSFERRED to the United States District Court for the for the Eastern District of California. The Clerk of this Court is directed to transfer all pleadings filed in this case and a copy of the docket sheet to the Clerk of the United States District Court for the for the Eastern District of California; and it is further

ORDERED that petitioner direct all future pleadings in this case to the Clerk’s Office for the United States District Court for the Eastern District of California.

The Clerk is directed to send a copy of this Order to petitioner.

Entered this 3<sup>rd</sup> day of March 2016.

Alexandria, Virginia

  
\_\_\_\_\_  
T. S. Ellis, III  
United States District Judge