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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK A. VAUGHN,
Petitioner,
v.
ON HABEAS CORPUS,
Respondent.

No. 1:16-cv-01396-JLT (HC)
ORDER OF TRANSFER

Petitioner, a state prisoner, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants reside in the same state, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

In this case, Petitioner is challenging a prison disciplinary hearing held at California Health Care Facility (“CHCF”) in Stockton, California, concerning events which occurred when Petitioner was incarcerated at CHCF. CHCF is located in the Sacramento Division of the Eastern District of California. Since the events giving rise to the claim took place at CHCF in Stockton,

1 California, the petition should have been filed in the Sacramento Division. In the interest of
2 justice, a federal court may transfer a case to the appropriate district. See 28 U.S.C. § 1406(a).

3 Accordingly, the Court ORDERS that this matter is transferred to the Sacramento
4 Division of the United States District Court for the Eastern District of California.

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6 IT IS SO ORDERED.

7 Dated: October 4, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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