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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANGELIQUE NASH, Petitioner, v. D. G. ADAMS, Respondent.	No. 1:17-cv-00238-AWI-JLT (HC) ORDER DENYING MOTION FOR TRANSFER HEARING [Doc. 27]
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Petitioner is currently serving a 25-years-to-life sentence in state prison for her conviction of first degree murder. On February 17, 2017, she filed a habeas action challenging her conviction. She filed a First Amended Petition on May 5, 2017. Respondent filed a response to the petition on January 11, 2018. On March 14, 2018, the Court issued Findings and Recommendations to deny the petition on the merits. Petitioner filed objections on April 11, 2018.

On April 16, 2018, Petitioner filed the instant motion to request a transfer hearing pursuant to California’s Proposition 57. Petitioner argues that Proposition 57 prohibits prosecutors from charging juveniles with crimes directly in adult court. Instead, Petitioner alleges, the action must be commenced in juvenile court and a transfer hearing must be conducted to determine whether the matter should remain in the juvenile court or be transferred to adult court.

1 Petitioner’s motion for hearing will be denied. Petitioner is invoking state procedure;
2 however, this is a habeas corpus action in federal court and state procedure is inapplicable. To
3 the extent Petitioner alleges a violation of state procedural rules, the claim is not cognizable.
4 Federal habeas relief is unavailable to correct errors of state law. Estelle v. McGuire, 502 U.S.
5 62, 67-68 (1991). Petitioner’s avenue for relief lies in state court.

6 Accordingly, Petitioner’s request for a transfer hearing is DENIED.

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8 IT IS SO ORDERED.

9 Dated: April 19, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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