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9	UNITED STATES DISTRICT COURT	
10	EASTERN DISTRICT OF CALIFORNIA	
11	RAYMOND CLARK,	Case No. 1:17-cv-00571-SAB-HC
12	Petitioner,	
13	v.	ORDER TRANSFERRING CASE TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA
14	WARDEN, TEHACHAPI STATE PRISON,	
15	Respondent.	
16		
17	Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus	
18	pursuant to 28 U.S.C. § 2254.	
19	When a state prisoner files a habeas petition in a state that contains two or more federal	
20	judicial districts, the petition may be filed in either the judicial district in which the petitioner is	
21	presently confined or the judicial district in which he was convicted and sentenced. See 28	
22	U.S.C. § 2241(d); <u>Rumsfeld v. Padilla</u> , 542 U.S. 426, 442 (2004) (quoting <u>Carbo v. United</u>	
23	States, 364 U.S. 611, 618 (1961)). Petitions challenging the execution of a sentence are	
24	preferably heard in the district where the inmate is confined. See Dunne v. Henman, 875 F.2d	
25	244, 249 (9th Cir. 1989). Petitions challenging convictions or sentences are preferably heard in	
26	the district of conviction. See Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Section	
27	2241 further states that, rather than dismissing an improperly filed action, a district court, "in the	
28	exercise of its discretion and in furtherance of justice may transfer" the habeas petition to another	

1	federal district for hearing and determination. 28 U.S.C. § 2241(d); see also 28 U.S.C. § 1404(a)
2	(court may transfer any civil action "to any other district or division where it might have been
3	brought" for convenience of parties or "in the interest of justice").

Here, Petitioner challenges a criminal judgment from the Los Angeles County Superior
Court. Therefore, venue is proper in the district of conviction, which is the Central District of
California. Accordingly, IT IS HEREBY ORDERED that this action is transferred to the United
States District Court for the Central District of California.

IT IS SO ORDERED.

Dated: December 22, 2017

TA. De

UNITED STATES MAGISTRATE JUDGE