

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAFAEL A. MEJIA.

Petitioner,

V.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES,

Respondent.

Case No. 1:21-cv-00183-HBK (HC)

ORDER TRANSFERRING CASE TO THE
UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA

(Doc. No. 1)

Petitioner Rafael A. Mejia is proceeding on his petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. (Doc. No. 1). Petitioner, a prisoner incarcerated in Kern County, which is located within the jurisdiction and venue of this court's Fresno Division, challenges his state sentence and conviction entered by the Superior Court of Los Angeles, which is located within the jurisdiction and venue of the Western Division of the United States District Court for the Central District of California.

Under 28 U.S.C. § 2241(d), jurisdiction is proper in the judicial district where the petitioner was convicted or where the petitioner is incarcerated. Therefore, both the Central District of California and the Eastern District of California have concurrent jurisdiction. *See* 28 U.S.C. § 2241(d); *Rumsfeld v. Padilla*, 542 U.S. 426, 428 (2004). However, “[f]or the convenience of parties

1 and witnesses, in the interest of justice, a district court may transfer any civil action to any other
2 district or division where it might have been brought.” 28 U.S.C. § 1404(a). Federal courts in
3 California generally hear petitions for writ of habeas corpus in the district of conviction. *Favor v.*
4 *California*, No. 116-CV-01912-DAD-EPG-HC, 2017 WL 2671006, at *1 (E.D. Cal. June 21, 2017)
5 (*citing Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968)).

6 Thus, the Court finds in its discretion “and in furtherance of justice” the petition should be
7 transferred to the Central District of California. 28 U.S.C. §§ 1404(a), 2241(d).

8 **Accordingly,**

9 1. The Clerk shall transfer this action to the United States District Court for the Central
10 District of California, Western Division; and
11 2. All future filings shall reference the new case number assigned and shall be filed at:

12
13 United States District Court
14 Central District of California
Western Division
255 East Temple St., Suite 180
15 Los Angeles, CA 90012

16 IT IS SO ORDERED.

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18 Dated: February 17, 2021


19 HELENA M. BARCH-KUCHTA
20 UNITED STATES MAGISTRATE JUDGE

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