

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TEDDY S. WILLIAMS,

Petitioner, No. CIV S-08-2948 EFB P

VS.

EDWARD S. ALAMEIDA, JR., et al.,

Respondents. ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. See 28

U.S.C. § 2254. He seeks leave to proceed *in forma pauperis*. See 28 U.S.C. § 1915. However, petitioner has commenced this action in the wrong district.

Petitioner was convicted in the Santa Barbara Superior Court, and is confined at Wasco State Prison. Although this court and the United States District Court in the district where petitioner was convicted both have jurisdiction, *see Braden v. 30th Judicial Circuit Court*, 410 U.S. 484, 499-500 (1973), witnesses and evidence necessary for the resolution of petitioner's application are more readily available in the county of conviction, *Id.* at 499 n. 15; 28 U.S.C. § 2241(d).

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Therefore, the court takes no action on petitioner's application to proceed *in forma pauperis*, and transfers this action to the Western Division of the United States District Court for the Central District of California. 28 U.S.C. §§ 84(c)(2); 1404(a).

Accordingly, it is ORDERED that this action is transferred to the Western Division of the United States District Court for the Central District of California.

Dated: April 13, 2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE