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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUNAKO MAGEE,

Petitioner,

No. C 08-5613 PJH (PR)

v.

ORDER OF TRANSFER

JAMES WALKER, Warden,

Respondent.

This is a habeas case filed pro se by a state prisoner. Petitioner seeks to challenge a conviction obtained in Solano County. Solano County is in the venue of the United States District Court for the Eastern District of California. Petitioner is incarcerated at California State Prison-Sacramento, which also is in the Eastern District.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither, and the Eastern District is both. This case therefore is **TRANSFERRED** to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: January 5, 2009.



PHYLLIS J. HAMILTON
United States District Judge

United States District Court
For the Northern District of California