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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TYRONE JAMAL TINNEY,

Petitioner,

No. C 09-1570 PJH (PR)

v.

ORDER OF TRANSFER

BEN CURRY, Warden,

Respondent.

_____ /

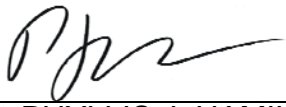
This is a habeas case filed pro se by a state prisoner. Petitioner seeks to challenge a conviction obtained in the Superior Court in and for San Joaquin County. San Joaquin County is in the venue of the United States District Court for the Eastern District of California. Petitioner is incarcerated at the Correctional Training Facility, which is in this 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); however, petitions challenging a conviction are preferably heard in the district of conviction. Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968).

Because petitioner was convicted in San Joaquin County, this case 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: April 20, 2009.



PHYLLIS J. HAMILTON
United States District Judge

United States District Court
For the Northern District of California