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

ANTHONY BAILEY,

Petitioner,

No. CIV-S-10-1187 KJM P

vs.

STATE OF CALIFORNIA, et al.,

Respondents.

ORDER

_____/

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges the execution of his sentence. As a general rule, “[t]he proper forum to challenge the execution of a sentence is the district where the prisoner is confined.” Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Petitioner is incarcerated in San Bernardino County, which lies in the Central District of California. See 28 U.S.C. § 84(a).

Pursuant to 28 U.S.C § 2241(d), courts in both the district of conviction and the district of confinement have concurrent jurisdiction over applications for habeas corpus filed by state prisoners. It does not appear that petitioner was convicted in this district, nor is he presently confined here. For that reason, this court does not have jurisdiction to entertain the application. In the interest of justice, this court may transfer this action “to any other district

1 where it might have been brought.” 28 U.S.C. § 1404(a). For the reasons set forth above, the
2 most appropriate forum for the instant action is the district where petitioner is confined.
3 Therefore, in the interest of justice, this action will be transferred to the United States District
4 Court for the Central District of California.

5 In accordance with the above, IT IS HEREBY ORDERED that this matter is
6 transferred to the United States District Court for the Central District of California. 28 U.S.C.
7 § 2241(d); 28 U.S.C. § 1406(a).

8 DATED: June 3, 2010.

9 
U.S. MAGISTRATE JUDGE

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