

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

JIMMY E. BOOKER, E-87959,	)	
	)	
Petitioner,	)	No. C 11-2311 CRB (PR)
	)	
vs.	)	ORDER OF TRANSFER
	)	
K. DICKINSON, Warden.	)	(Docket # 3)
	)	
Respondent.	)	
_____	)	

Petitioner seeks federal habeas review of the execution of a sentence imposed by the San Mateo County Superior Court, which lies in this judicial district. See 28 U.S.C. § 84(a). Petitioner is incarcerated at the California Medical Facility in Vacaville, Solano County, which lies in the Eastern District of California. See id. § 84(b).

Venue is proper in a habeas action in either the district of conviction or the district of confinement, id. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989); cf. Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968) (district of conviction preferable forum to review conviction).

1 Because Solano County lies in the Eastern District of California, the court orders  
2 that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the  
3 interest of justice, this petition be transferred to the United States District Court for the  
4 Eastern District of California.

5 The clerk shall transfer this matter and terminate all pending motions as moot.  
6 SO ORDERED.

7 DATED: June 15, 2011

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CHARLES R. BREYER  
United States District Judge