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3 IN THE UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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6 RODNEY NAPIER, C-30460, )  
7 Petitioner, ) No. C 12-2493 CRB (PR)  
8 vs. ) ORDER OF TRANSFER  
9 GARY SWARTHOUT, Warden, )  
10 Respondent. )  
11

12 Petitioner seeks federal habeas review of the execution of a sentence imposed by  
13 Solano County Superior Court, which lies in the Eastern District of California. See 28  
14 U.S.C. § 84(b). Petitioner is incarcerated at California State Prison, Solano, which also  
15 lies in the Eastern District of California. See id.

16 Venue is proper in a habeas action in either the district of conviction or the  
17 district of confinement, id. § 2241(d); however, the district of confinement is the  
18 preferable forum to review the execution of a sentence. See Habeas L.R. 2254-3(a);  
19 Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989).

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

24 The clerk shall transfer this matter and terminate all pending motions as moot.

25 SO ORDERED.

26 DATED: June 1, 2012

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28 CHARLES R. BREYER  
United States District Judge