

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

DONALD R. JACKSON,

Petitioner, No. 2:12-cv-3070 EFB F

VS.

MATTHEW CATE, et al.,

Respondents. ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to

28 U.S.C. § 2254. He seeks leave to proceed *in forma pauperis*. See 28 U.S.C. § 1915.

However, petitioner has commenced this action in the wrong district.

Petitioner was convicted in the Los Angeles County Superior Court, but is confined at

California State Prison Solano. Although this court and the United States District Court in the

district where petitioner was convicted both have jurisdiction, *see Braden v. 30th Judicial*

Circuit Court, 410 U.S. 484, 499-500 (1973), witnesses and evidence necessary for the

resolution of petitioner's application are more readily available in the county of conviction. *Id.* at

499 n. 15; 28 U.S.C. § 2241(d).

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1 Therefore, the court takes no action on petitioner's application to proceed *in forma*
2 *pauperis*, and transfers this action to the United States District Court for the Central District of
3 California. 28 U.S.C. §§ 84(c); 1404(a).

4 Accordingly, it is ORDERED that this action is transferred to the United States District
5 Court for the Central District of California.

6 || Dated: January 3, 2013.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE