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

THOMAS EUGENE MOORE,)	No. C 12-06539 EJD (PR)
Petitioner,)	ORDER OF TRANSFER
vs.)	
K. CHAPPELL, Warden,)	
Respondents.)	

Petitioner, a California prisoner at the San Quentin State Prison, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging his 2001 state conviction.

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, Federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. See Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). The petition indicates that Petitioner was convicted in Sacramento County which lies within the venue of the

1 Eastern District of California. See 28 U.S.C. 84(b).¹

2 Accordingly, the above-titled action is hereby TRANSFERRED to the United
3 States District Court for the Eastern District of California. See 28 U.S.C. §§ 1404(a),
4 2241(d); Habeas L.R. 2254-3.

5 The Clerk shall transfer this matter and terminate any pending motions.

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7 DATED: 1/28/2013


EDWARD J. DAVILA
United States District Judge

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¹ It also appears that this is a successive petition, as a prior petition was filed in the Eastern District regarding the same conviction. See Moore v. Horel, Civ S-02-0007 JAM DAD.

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

Case Number CV 12-06539 EJD (PR)

THOMAS EUGENE MOORE,

Petitioner,

vs.

K. CHAPPELL, Warden,

Respondents

CERTIFICATE OF SERVICE

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 1/28/2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) inter-office delivery receptacle located in the Clerk's office.

Thomas Eugene Moore
D-62389
San Quentin State Prison
San Quentin, CA 93960

DATED: 1/28/2013

Richard W. Wieking, Clerk
/s/By: Elizabeth Garcia, Deputy Clerk