

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIASTEVEN R. SMITH,
Petitioner,

No. C 13-623 SI (pr)

ORDER OF TRANSFER


v.

UNITED STATES DISTRICT COURT,
Respondent.

Steven R. Smith, an inmate at the Correctional Training Facility in Soledad, California, has filed a petition for writ of habeas corpus to challenge his conviction from the El Dorado County Superior Court. El Dorado County lies within the venue of the Eastern District of California. The facility Smith is incarcerated at is in Monterey County, within the venue of the Northern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, a petition challenging a conviction or the sentence imposed is preferably heard in the district of conviction. *See* N. D. Cal. Habeas L.R. 2254-3(b). Because the conviction occurred in the Eastern District of California, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

DATED: March 28, 2013



SUSAN ILLSTON
United States District Judge