

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

MONTRELL HALL,

Petitioner, No. 2:13-cv-1035 EFB P

VS.

T. VIRGA,

**Respondent.** ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See 28*

U.S.C. § 2254. However, petitioner has commenced this action in the wrong district.

Petitioner was convicted in the Contra Costa County Superior Court, but is confined at California State Prison, Sacramento. 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). Therefore, the court transfers this action to the United States District Court for the Northern District of California. 28 U.S.C. §§ 84(a); 1404(a).

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1           Accordingly, it is ORDERED that this action is transferred to the United States District  
2 Court for the Northern District of California.

3 Dated: June 3, 2013.

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5 EDMUND F. BRENNAN  
6 UNITED STATES MAGISTRATE JUDGE  
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