

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

ALBERT LOUIS WYATT,

Petitioner,

No. 2:13-cv-1280 EFB P

vs.

JEFFREY BEARD, et al.,

Respondents.

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 Los Angeles County Superior Court, but is confined at CSP 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). Therefore, the court will transfer this action to the United States District Court for the Central District of California. 28 U.S.C. §§ 84(c); 1404(a).

////

////

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

3 Dated: July 1, 2013.

4 
5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26