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

JAMES D. CHAVEZ,

No. 2:14-CV-2193-CMK-P

Petitioner,

vs.

ORDER

WARDEN,

Respondent.

_____ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner challenges the denial of parole.¹ Consequently, the instant petition is one for review of the execution of a sentence imposed by a California state court. See Rosas v. Nielsen, 428 F.3d 1229, 1232 (9th Cir. 2005) (denial of parole is “a decision ‘regarding the execution’ of” a prison sentence). As a general rule, “[t]he proper forum to challenge the execution of a sentence is the district where the prisoner is confined.” Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Petitioner is currently incarcerated at Kern Valley State Prison,

¹ It appears that petitioner may also be attempting to assert a claim challenging his underlying conviction.

1 located in Kern County, which is part of the Fresno division of this court. See Local Rule
2 120(b). Because the Sacramento division is not the proper division, this action will be
3 transferred to the Fresno division.²

4 Accordingly, IT IS HEREBY ORDERED that this action is transferred to the
5 United States District Court for the Eastern District of California sitting in Fresno.

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7 DATED: May 21, 2015

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9 **CRAIG M. KELLISON**
10 UNITED STATES MAGISTRATE JUDGE

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24 ² To the extent petitioner is also asserting a claim challenging his conviction,
25 pursuant to 28 U.S.C § 2241(d), courts in both the district of conviction and the district of
26 confinement have concurrent jurisdiction over applications for habeas corpus filed by state
prisoners. See Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973). Thus, the Fresno
division of this court is also a proper venue for any claims challenging petitioner's conviction.