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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

RICHARD D. MILLER, Jr.,
Petitioner,

No. C 15-2120 NJV (PR)

vs.

ORDER OF TRANSFER

PEOPLE OF THE STATE OF CALIFORNIA, SACRAMENTO COUNTY,

Respondent.

This is a habeas case filed pro se by a state prisoner. Petitioner seeks to challenge a conviction obtained in the Sacramento County Superior Court. Sacramento County is in the venue of the United States District Court for the Eastern District of California. Petitioner is incarcerated in Oklahoma.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither. Because petitions challenging a conviction are preferably heard in the district of conviction, Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968), and petitioner was convicted in the Eastern District, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: May 13, 2015.



NANDOR J. VADAS
United States Magistrate Judge

United States District Court
For the Northern District of California