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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MATTHEW EDWARD GARIANO,
Petitioner,
v.
BOARD OF PRISON HEARINGS,
Respondent.

No. 2:16-cv-1488 CMK P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has paid the filing fee.

Petitioner challenges the November 13, 2014, decision of the California Board of Parole Hearings to deny him parole. 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 incarcerated at Valley State Prison, which lies in Madera County and is part of the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 120(d).

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper division of a court may, on the court’s own motion, be transferred to the proper division of the

1 court. Therefore, this action will be transferred to the Fresno Division of the court.

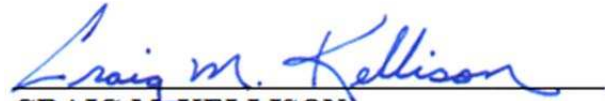
2 Good cause appearing, IT IS HEREBY ORDERED that:

3 1. This action is transferred to the United States District Court for the Eastern District of
4 California sitting in Fresno; and

5 2. All future filings shall reference the new Fresno case number assigned and shall be
6 filed at:

7 United States District Court
8 Eastern District of California
9 2500 Tulare Street
10 Fresno, CA 93721

11 Dated: August 5, 2016


12 **CRAIG M. KELLISON**
13 UNITED STATES MAGISTRATE JUDGE

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