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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CODY AARON ROSBRUGH,
Petitioner,
v.
JOE LIZARRAGA, Warden,
Respondent.

No. 2:16-cv-2383-EFB P

ORDER


Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254.¹ He is incarcerated at Mule Creek State Prison, in Amador County, which lies in this district. However, petitioner attacks a conviction imposed by the San Bernardino County Superior Court, which lies in the United States District Court for the Central District of California. While both this court and the United States District Court in the district where petitioner was convicted have jurisdiction, *see Braden v. 30th Judicial Circuit Court*, 410 U.S. 484 (1973), any and all 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).

¹ Petitioner initially filed his petition in the United States Court of Appeals for the Ninth Circuit. ECF No. 1. The Court of Appeals transferred the petition to this court pursuant to Rule 22(a) of the Federal Rules of Appellate Procedure. *Id.*

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Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that this matter is transferred to the Eastern Division of the United States District Court for the Central District of California.

DATED: October 13, 2016.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE