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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 CURTIS EARNEST ADAMS,

No. 2:16-cv-02994 MCE AC

12 Petitioner,

13 v.

ORDER

14 PEOPLE OF THE STATE OF
15 CALIFORNIA,

16 Respondent.
17

18 Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to
19 28 U.S.C. § 2254. The petition challenges a conviction and/or sentence issued by the Contra
20 Costa County Superior Court.¹ ECF No. 1 at 1. Under 28 U.S.C § 2241(d), courts in both the
21 district of conviction and the district of confinement² have concurrent jurisdiction over
22 applications for habeas corpus filed by state prisoners. Federal courts in California generally hear
23 petitions challenging convictions or sentences in the district of conviction, however. See, e.g.,


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25 ¹ The petition also appears to raise a separate ‘cruel and unusual punishment’ claim, but there is
26 no indication as to where or when this claim arose. ECF No. 1 at 7. Absent some indication that
it arose within the Eastern District, this court concludes that it would be inappropriate to retain
jurisdiction over a separate §1983 claim (if that is, in fact, what petitioner intends to present).

27 ² Venue in this district would not be proper under this provision either, since petitioner indicates
28 that he is incarcerated at the R.J. Donovan Correctional Facility in San Diego, California. ECF
No. 1.

1 Dannenberg v. Ingle, 831 F. Supp. 767, 768 (N.D. Cal. 1993). Contra Costa County lies within
2 the venue of the Northern District of California. Accordingly, in the interest of justice, and
3 pursuant to 28 U.S.C. §1406(a), this action is TRANSFERRED to the United States District
4 Court for the Northern District of California.

5 IT IS SO ORDERED.

6 DATED: June 5, 2017

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8 ALLISON CLAIRE
9 UNITED STATES MAGISTRATE JUDGE
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