

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

DANTE C. COLLINS,
Petitioner,
v.
PAUL HAINLINE,
Respondent.

Case No. 17-cv-0099-NJV (PR)
**ORDER REOPENING AND
TRANSFERRING CASE**

This pro se habeas action was dismissed without prejudice due to the failure to pay the requisite \$ 5.00 filing fee or, instead, submit a complete in forma pauperis application. Petitioner has now paid the filing fee. The Order of Dismissal (Docket No. 5) is **VACATED** and this case is **REOPENED** and the court will screen the case.

Petitioner challenges a conviction obtained in the Solano County Superior Court and argues that his custody credits were improperly calculated. Solano County is in the venue of the United States District Court for the Eastern District of California. Petitioner is also incarcerated in the Eastern District of California.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither. The district of confinement is the preferable forum to review the execution of a sentence. Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because petitioner is housed and was convicted in the Eastern District, this petition is **TRANSFERRED** to the United States District Court for the

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Eastern District of California. *See* 28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: March 29, 2017



NANDOR J. VADAS
United States Magistrate Judge