

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

JERRY C. JOHNSON,
Petitioner,

v.

SCOTT KERNAN,
Respondent.

Case No. 17-cv-5855-RMI (PR)

ORDER OF TRANSFER

Docket Nos. 2, 3

This is a petition for writ of habeas corpus filed pro se by a state prisoner. Petitioner challenges a conviction obtained in the Solano County Superior Court. Solano County is in the venue of the United States District Court for the Eastern District of California. Petitioner is incarcerated in this district.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d). 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). All pending motions are vacated and will be addressed in the Eastern District.

IT IS SO ORDERED.

Dated: November 30, 2017



ROBERT M. ILLMAN
United States Magistrate Judge