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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

FREDERICK LEE,  
  
                    Petitioner,  
  
v.  
  
N.E. SPEARMAN, Warden,  
  
                    Respondent.

Case No. 1:17-cv-01656-SKO HC  
  
ORDER TRANSFERRING THIS CASE TO  
THE SACRAMENTO DIVISION OF THE  
U.S. DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

On December 11, 2017, Petitioner filed this *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner is in custody at the High Desert State Prison in Susanville, California, in Lassen County. Lassen County, California, is properly venued in the Sacramento Division of the Eastern District of California.

A habeas action is subject to jurisdictional and statutory limitations. *See Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484 (1973). The proper respondent in a habeas corpus action is the warden of the institution in which the petitioner is confined. *Rumsfield v. Padilla*, 542 U.S. 426, 434 (2004). Because the habeas petition must be reviewed by the district court in the district where the petitioner is confined (*United States v. Giddings*, 740 F.2d 770, 772 (9th Cir. 1984)), this Court will transfer the petition to the Sacramento Division.

Accordingly, the Court hereby ORDERS that this case be TRANSFERRED to the Sacramento Division of United States District Court for the Eastern District of California.

IT IS SO ORDERED.

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Dated: December 13, 2017

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE