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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL PERKINS,)	
)	
Petitioner,)	No. C 07-0575 TEH (PR)
)	
vs.)	ORDER OF TRANSFER
)	
D. K. SISTO, Warden,)	(Docket No. 2)
)	
Respondent.)	
_____)	

On January 29, 2007, Petitioner, a state prisoner incarcerated at California State Prison-Solano in Vacaville, California, filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging the California Board of Prison Terms' ("BPT") decision to deny him parole. Petitioner has also filed a motion to proceed in forma pauperis (docket no. 2).

California State Prison-Solano is located within Solano County, which lies within the Eastern District of California. See id. § 84(b). Venue is proper in a habeas action in either the district of conviction or the district of confinement, id. § 2241(d). However, the district of confinement is the preferable forum to review the execution of a sentence, including parole. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989); cf. Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968) (district of conviction preferable forum to review conviction).

Because the County of Solano lies in the Eastern District of California, the Court orders that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be transferred to the United States District Court for the

1 Eastern District of California. In light of the transfer, this Court will not decide the
2 pending motion (docket no. 2). The Clerk shall transfer this matter forthwith.

3
4 SO ORDERED.

5 DATED: 02/07/07


6 THELTON E. HENDERSON
7 United States District Judge