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

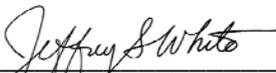
SILVERIO REYES MARTINEZ,)	No. C 07-2611 JSW (PR)
)	
Petitioner,)	
)	
vs.)	TRANSFER ORDER
)	
M. EVANS, Warden,)	(Docket No. 2)
)	
Respondent.)	

Petitioner, a prisoner incarcerated at Salinas Valley State Prison in Soledad, California, has filed a petition for a writ of habeas corpus seeking review of his criminal conviction from Sacramento County, which lies within the venue of the Eastern District of California. *See* 28 USC § 84(b). Venue is proper in a habeas action in either the district of conviction or the district of confinement, *see id* § 2241(d). However, federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. *See Dannenberg v. Ingle*, 831 F. Supp. 767, 767 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968).

Therefore, the Court ORDERS that pursuant to 28 USC § 1404(a) and Habeas LR 2254-3(b), and in the interest of justice, the Clerk of Court shall TRANSFER this matter to the United States District Court for the Eastern District of California. In light of the transfer, this Court will not resolve Petitioner’s pending motion (docket no. 2).

IT IS SO ORDERED.

DATED: May 23, 2007



 JEFFREY S. WHITE
 United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SILVERIO R MARTINEZ,
Plaintiff,

Case Number: CV07-02611 JSW

CERTIFICATE OF SERVICE

v.

M EVANS et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 23, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Silverio Reyes Martinez T-37730
Salinas Valley State Prison
B4-232
P.O. Box 1050
Soledad, CA 93960-1050

Dated: May 23, 2007



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk

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