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

CLIFTON FREEMAN,	)	C 07-3347 MMC(PR)
	)	
Petitioner,	)	<b>ORDER OF TRANSFER</b>
	)	
vs.	)	
	)	
D.K. SISCO, Warden,	)	
	)	<b>(Docket No. 2)</b>
Respondent.	)	
_____	)	

On March 27, 2007, petitioner, a prisoner at California State Prison, Solano, and proceeding pro se, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He challenges a decision by the California Board of Prison Hearings to deny him parole.

Pursuant to 28 U.S.C. § 2241, venue for a habeas action is proper in either the district of confinement or the district of conviction, and the district in which the petition is filed may transfer the petition to such other district in the furtherance of justice. See 28 U.S.C. § 2241(d); see, e.g., Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). If the petition is directed to the manner in which a sentence is being executed, such as parole or time credit claims, the district of confinement is the preferable forum. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989); cf. Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993) (holding petition challenging conviction or sentence should be heard in district of conviction).

Solano County, where petitioner is confined, is located within the venue of the Eastern

United States District Court  
For the Northern District of California

1 District of California. See 28 U.S.C. § 84(d). Under such circumstances, and given the  
2 nature of petitioner's claims, the Eastern District is the preferable forum.


3 Accordingly, the above-titled action is hereby TRANSFERRED to the United States  
4 District Court for the Eastern District of California. See 28 U.S.C. § 1404(a); Habeas L.R.  
5 2254-3(b).

6 In light of the transfer, this Court will defer to the Eastern District with respect to  
7 petitioner's application to proceed in forma pauperis.

8 The Clerk shall close the file and terminate Docket No. 2 on this Court's docket.

9 IT IS SO ORDERED.

10 DATED: June 29, 2007

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12 MAXINE M. CHESNEY  
13 United States District Judge  
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