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

LAWRENCE E. DARROUGH,)	
)	
Petitioner,)	No. C 08-4826 CRB (PR)
)	
vs.)	ORDER OF TRANSFER
)	
DERREL G. ADAMS, Warden,)	
)	
Respondent.)	
_____)	

Petitioner seeks federal habeas review of a conviction from Fresno County Superior Court, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Petitioner is incarcerated at California State Prison, Corcoran in the County of Kings, which also lies within the venue of the Eastern District of California. See id.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see id. § 2241(d); but petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenber v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

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

5 The clerk shall transfer this matter and terminate all pending motions as moot.

6 SO ORDERED.

7 DATED: Oct. 24, 2008



8 _____
9 CHARLES R. BREYER
10 United States District Judge