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

CARLOS TORRES,

Petitioner,

No. CIV S-09-0927 GGH P

vs.

JOHN W. HAVILAND,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not filed a request to proceed in forma pauperis or paid the filing fee.

The application attacks a conviction issued by the Santa Clara County Superior Court. While both this Court and the United States District Court in the district where petitioner was convicted have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973), any and all witnesses and evidence necessary for the resolution of petitioner’s application are more readily available in Santa Clara County. Id. at 499 n.15; 28 U.S.C. § 2241(d).

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