

United States District Court

For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY CRAIG SMITH,
Petitioner,
v.
MATTHEW CATE,
Respondent.

No. C 09-4268 SI (pr)

ORDER OF TRANSFER

14 Anthony Craig Smith, an inmate at the Sierra Conservation Center in Jamestown, has
15 filed a petition for writ of habeas corpus to challenge his conviction from the Solano County
16 Superior Court. Solano County lies within the venue of the Eastern District of California.
17 Venue is proper in a habeas action in either the district of confinement or the district of convic-
18 tion, 28 U.S.C. § 2241(d); however, a petition challenging a conviction or the sentence imposed
19 is preferably heard in the district of conviction. See Habeas L.R. 2254-3(b). Because the
20 conviction occurred in, and the prisoner is housed in, the Eastern District of California, pursuant
21 to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is
22 TRANSFERRED to the United States District Court for the Eastern District of California. The
23 clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

25 | DATED: November 17 2009

Susan Illston
SUSAN ILLSTON
United States District Judge