

# 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