

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

EMERSON BELL,

Petitioner,

vs.

STATE OF CALIFORNIA,

Respondent.

No. C 09-4953 JSW (PR)

**ORDER OF TRANSFER**

Petitioner, a prisoner of the State of California, currently incarcerated at San Quentin State Prison in San Quentin, California, has filed a petition for a writ of habeas corpus in this Court challenging the constitutionality of his state conviction from San Bernardino County. Petitioner has neither paid the filing fee, nor filed an application to proceed *in forma pauperis*.

Venue is proper in a habeas action in either the district of conviction or the district of confinement, *see id* § 2241(d). Federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. *See Dannenberg v. Ingle*, 831 F. Supp. 767, 767 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Therefore, the Court ORDERS that pursuant to 28 USC § 1404(a) and Habeas LR 2254-3(b), and in the interest of justice, the Clerk of the Court shall TRANSFER this matter to the United States District Court for the Central District of California forthwith.

IT IS SO ORDERED.

DATED: November 2, 2009

  
JEFFREY S. WHITE  
United States District Judge