

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ARTARLIO DABNEY,  
Petitioner,

No. C 10-154 MHP (pr)

**ORDER OF TRANSFER**

v.

D. K. SISTO, warden,  
Respondent.

Artarlio Dabney filed a petition for writ of habeas corpus to challenge the denial of parole by the Board of Parole Hearings. Dabney is incarcerated at the California State Prison - Solano in Vacaville, California, where the hearing took place at which parole was denied. The prison is in Solano County, which is within the venue of the Eastern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence, such as a time credit calculation or parole denial claim. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Because petitioner is confined in the Eastern District of California and challenging the execution of his sentence, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter.

IT IS SO ORDERED.

DATED: April 1, 2010

  
Marilyn Hall Patel  
United States District Judge