*E-Filed 4/7/10*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

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10  TIMOTHY WAYNE PERRY, JR.,                    No. C 10-0961 RS (PR)

11                      Petitioner,              **ORDER OF TRANSFER**

12          v.

13  FREDERICK B. HAWS, Warden,

14                      Respondent.
                                            /
15

16          Petitioner Timothy Wayne Perry, Jr., has filed a petition for writ of habeas corpus to

17  challenge his conviction in the Solano County Superior Court.  Solano County is in the venue

18  of the Eastern District of California.  Venue is proper in a habeas action in either the district

19  of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, a petition

20  challenging a conviction or the sentence imposed is preferably heard in the district of

21  conviction.  *See* Habeas L.R. 2254-3(b).  Because the conviction occurred in the Eastern

22  District of California, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the

23  interests of justice, this action is TRANSFERRED to the United States District Court for the

24  Eastern District of California.  The Clerk shall transfer this matter forthwith.

25          **IT IS SO ORDERED**.

26  DATED: April 7, 2010

27                                              RICHARD SEEBORG
                                                United States District Judge
28

No. C 10-0961 RS (PR)
ORDER OF TRANSFER

1  **THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:**

2  Timothy Wayne Perry, Jr.
   Prisoner Id F-87009
3  C.S.P. Los Angeles County
   44750 60th Street West
4  Lancaster, CA 93539

5  DATED:  04/7/2010

6

7                                        s/ Chambers Staff
                                         Chambers of Judge Richard Seeborg
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   * Counsel are responsible for distributing copies of this document to any co-counsel who have
10 not registered with the Court's electronic filing system.

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No. C 10-0961 RS (PR)
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