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## IN THE UNITED STATES DISTRICT COURT

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## FOR THE NORTHERN DISTRICT OF CALIFORNIA

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MICHAEL E. MACKEY,

No. C 10-2998 WHA (PR)

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Petitioner,

**ORDER OF TRANSFER**

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vs.

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K. HARRINGTON,

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Respondent.

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This is a habeas case brought pro se by a state prisoner to challenge denial of parole.

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Petitioner was convicted in Solano County Superior Court, which is in the venue of the Eastern

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District of California. *See* 28 U.S.C. § 84. Petitioner is incarcerated in Kern Valley State

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Prison, in Delano California, which also lies within the venue of the Eastern District. *Ibid.*

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Venue for a habeas action is proper in either the district of confinement or the district of

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conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably

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heard in the district of conviction. Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265,

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266 (N.D. Cal. 1968). Because petitioner was convicted in Solano County, this case is

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**TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28

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U.S.C. § 1406(a); Habeas L.R. 2254-3(b). The clerk shall terminate any pending motions from

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this court's docket.

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**IT IS SO ORDERED.**

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Dated: August 30, 2010.

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 WILLIAM ALSUP  
 UNITED STATES DISTRICT JUDGE