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5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA  
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8 DENNIS HAMILTON,  
9 Petitioner,

No. C 10-4008 SI (pr)

**ORDER OF TRANSFER**


10 v.

11 F. GONZALEZ, warden,  
12 Respondent.  
13 \_\_\_\_\_/

14 Petitioner has filed a petition for writ of habeas corpus to challenge a parole denial that  
15 occurred at a hearing at the California Correctional Institution in Tehachapi, California, where  
16 he currently is housed. Tehachapi is in Kern County, which is within the venue of the Eastern  
17 District of California. Venue is proper in a habeas action in either the district of confinement  
18 or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the  
19 preferable forum to review the execution of a sentence, such as a parole denial claim. See  
20 Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Because  
21 petitioner is confined in the Eastern District of California and challenging the execution of his  
22 sentence, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of  
23 justice, this action is TRANSFERRED to the United States District Court for the Eastern District  
24 of California. The clerk shall transfer this matter forthwith.

25 IT IS SO ORDERED.

26 DATED: October 20, 2010

  
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27 SUSAN ILLSTON  
United States District Judge  
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