

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

FARRAR GARNETT,
Petitioner,

vs.

STATE OF CALIFORNIA,
Respondent.

No. C 11-3016 JSW (PR)

ORDER OF TRANSFER

Petitioner is a state prisoner currently incarcerated at Salinas Valley State Prison. He has filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging a conviction obtained in Los Angeles County. Salinas Valley State Prison is located within the venue of this Court, but Los Angeles lies within the venue of the United States District Court for the Central District of California. See 28 U.S.C. § 84.

A petition for a writ of habeas corpus made by a person in custody under the judgment and sentence of a state court of a state which contains two or more federal judicial districts may be filed in either the district of confinement or the district of conviction. See 28 U.S.C. § 2241(d). Each of such districts shall have concurrent jurisdiction to entertain the petition; however, the district court for the district where the petition is filed may transfer the petition to the other district in the furtherance of justice. *Id.* Federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. *Dannenberg v. Ingle*, 831 F. Supp. 767, 768 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968).


As Petitioner was convicted and in the Central District, this action is TRANSFERRED to the United States District Court for the Central District of

1 California. *See* 28 U.S.C. § 1406(a).

2 The Clerk of the Court shall transfer this matter forthwith.

3 IT IS SO ORDERED.

4 DATED: June 30, 2011

5 
6 _____
7 JEFFREY S. WHITE
8 United States District Judge

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 FARRAR GARNETT,
6
7 Plaintiff,

Case Number: CV11-03016 JSW

CERTIFICATE OF SERVICE

8 v.

9 PEOPLE OF THE STATE OF CALIFORNIA
10 et al,
11 Defendant.

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
13 Court, Northern District of California.

14 That on June 30, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
16 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
17 receptacle located in the Clerk's office.

18 Farrar Garnett
19 S.V.S.P.
20 P.O. Box 1050
K09966
Soledad, CA 93960

21 Dated: June 30, 2011



22 Richard W. Wieking, Clerk
23 By: Jennifer Ottolini, Deputy Clerk
24
25
26
27
28