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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
6

7 GILBERTO LOPEZ RODRIGUEZ,  
8 Petitioner,

No. C 11-4858 SI (pr)

**ORDER OF TRANSFER**

9 v.

10 ERIC HOLDER, Attorney General,  
11 Respondent.  
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14 Gilberto Lopez Rodriguez has filed a habeas petition under 28 U.S.C. § 2241 to challenge  
15 the legality of his custody by the U.S. Immigration and Customs Enforcement (“ICE”), pending  
16 his removal from the United States. He is incarcerated at Pinal County Adult Detention Center  
17 in Florence, Arizona.

18 The district of confinement is the proper venue for a petition for a writ of habeas corpus  
19 under 28 U.S.C. § 2241. *See Rumsfeld v. Padilla*, 542 U.S. 426, 447 (2004); *Chatman-Bey v.*  
20 *Thornburgh*, 864 F.2d 804, 813 (D.C. Cir. 1988); *McCoy v. United States Bd. of Parole*, 537  
21 F.2d 962, 966 (8th Cir. 1976). Here, petitioner is in custody in the District of Arizona. The  
22 District of Arizona is the proper venue for his § 2241 petition, and the Northern District of  
23 California is not the proper venue. Accordingly, in the interest of justice, this case is  
24 TRANSFERRED to the United States District Court for the District of Arizona. See 28 U.S.C.  
25 § 1406(a). The clerk shall transfer this matter.

26 IT IS SO ORDERED.

27 DATED: October 25, 2011

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SUSAN ILLSTON  
United States District Judge