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

JORGE PADILLA RUIZ,
Petitioner,

vs.

CONNIE GIBSON, Warden,
Respondent.

No. C 11-6250 JSW (PR)


ORDER OF TRANSFER

Petitioner is a state prisoner currently incarcerated at Corcoran 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 Sacramento County. 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). The district of conviction is the preferred forum, however, where the petition is challenging the conviction or sentence itself. *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 in the Eastern District, this action is TRANSFERRED to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a).

The Clerk of the Court shall transfer this matter forthwith.

IT IS SO ORDERED.

DATED: December 21, 2011



JEFFREY S. WHITE
United States District Judge

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

5 JORGE PADILLA RUIZ,
6
7 Plaintiff,

Case Number: CV11-06250 JSW

CERTIFICATE OF SERVICE

8 v.

9 CONNIE GIBSON et al,
10 Defendant.
11

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

13 That on December 21, 2011, I SERVED a true and correct copy(ies) of the attached, by placing
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
delivery receptacle located in the Clerk's office.

16
17 Jorge P. Ruiz
18 G38289
19 P.O. Box 3481
413-2L-52
20 Corcoran, CA 93212

21 Dated: December 21, 2011



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk

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