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3
4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
6

7 STEVEN R. SMITH,
8
9 Petitioner,

No. C 13-623 SI (pr)

ORDER OF TRANSFER


10 v.

11 UNITED STATES DISTRICT COURT,
12
13 Respondent.
14 _____/

15 Steven R. Smith, an inmate at the Correctional Training Facility in Soledad, California,
16 has filed a petition for writ of habeas corpus to challenge his conviction from the El Dorado
17 County Superior Court. El Dorado County lies within the venue of the Eastern District of
18 California. The facility Smith is incarcerated at is in Monterey County, within the venue of the
19 Northern District of California. Venue is proper in a habeas action in either the district of
20 confinement or the district of conviction, 28 U.S.C. § 2241(d); however, a petition challenging
21 a conviction or the sentence imposed is preferably heard in the district of conviction. *See* N. D.
22 Cal. Habeas L.R. 2254-3(b). Because the conviction occurred in the Eastern District of California,
23 pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice,
24 this action is TRANSFERRED to the United States District Court for the Eastern District of
25 California. The clerk shall transfer this matter forthwith.

26 IT IS SO ORDERED.

27 DATED: March 28, 2013

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SUSAN ILLSTON
United States District Judge