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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES E. RASBERRY,
Petitioner,

v.

J. SOTO,
Respondent.

Case No. [15-cv-03739-JD](#)


ORDER OF TRANSFER

This is a habeas case filed pro se by a state prisoner. Petitioner seeks to challenge a conviction obtained in the Superior Court of San Bernardino County. San Bernardino County is in the venue of the United States District Court for the Central District of California. Petitioner is incarcerated at California State Prison-Lancaster, which is also in the Central District.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither. Because petitions challenging a conviction are preferably heard in the district of conviction, Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968), and petitioner was convicted in San Bernardino County, this case is **TRANSFERRED** to the United States District Court for the Central District of California. *See* 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: September 29, 2015



JAMES DONATO
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES E. RASBERRY,
Plaintiff,
v.
J. SOTO,
Defendant.

Case No. [15-cv-03739-JD](#)

CERTIFICATE OF SERVICE

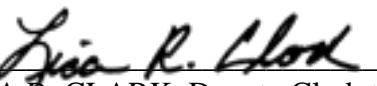
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 29, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by 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.

James E. Rasberry ID: C-61336
C.S.P. - LAC
P.O. Box 4490
Lancaster, CA 93539

Dated: September 29, 2015

Susan Y. Soong
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO