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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

JAMES C. WASHINGTON,
Petitioner,
v.
FRED FIGUEROA,
Respondent.

Case No. [16-cv-03975-LB](#)

ORDER OF TRANSFER
[Re: ECF No. 1]

The petitioner has filed a petition for writ of habeas corpus to challenge his conviction and sentence from the Sacramento County Superior Court. Sacramento County lies within the venue of the Eastern District of California. The petitioner is confined at the Tallahatchie County Correctional Facility in Tutwiler, Mississippi. That facility is in Tallahatchie County and lies within the venue of the Northern District of Mississippi. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d), although a petition challenging a conviction or the sentence imposed is preferably heard in the district of conviction. *See* N. D. Cal. Habeas L.R. 2254-3(b). The preferred venue is the Eastern District of California because the petitioner was convicted and the sentence was imposed in that district. The Northern District is not the proper venue because it is neither the district of confinement nor the district of conviction. Pursuant to 28 U.S.C. § 1406(a) and Habeas L.R. 2254-3(b), and in the

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interests of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

Dated: August 10, 2016



LAUREL BEELER
United States Magistrate Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES C. WASHINGTON,
Plaintiff,
v.
FRED FIGUEROA,
Defendant.

Case No. 3:16-cv-03975-LB

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 August 10, 2016, 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 C. Washington ID: V84558
TCCF MB-Cell-14
415 US Hwy 49 North
Tutwiler, MS 38963

Dated: August 10, 2016

Susan Y. Soong
Clerk, United States District Court

By: 
Lashanda Scott, Deputy Clerk to the
Honorable LAUREL BEELER