

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT CHARLES SEEHAUSEN,

Petitioner,

v.

JOSIE GASTELO,

Respondent.

Case No. [17-cv-01230-SI](#)

ORDER OF TRANSFER

Re: Dkt. No. 1

Petitioner, who was convicted in Los Angeles County Superior Court and now is incarcerated at the California Men's Colony in San Luis Obispo, has filed a petition for writ of habeas corpus in which he asserts that he is being held in custody beyond the maximum length of his term of imprisonment. The petition challenges the execution of his sentence. The prison at which petitioner is incarcerated is in San Luis Obispo County, within the venue of the Central District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. *See* Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because petitioner is confined in the Central District of California and challenging the execution of his sentence, pursuant to 28 U.S.C. § 1406(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is TRANSFERRED to the United States District Court for the Central District of California. The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

Dated: April 4, 2017



SUSAN ILLSTON
United States District Judge