

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

MANUEL BENTA,
Petitioner,
v.
DANIEL PARAMO,
Respondent.

Case No. [18-cv-00010-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 Shasta County Superior Court. Shasta County lies within the venue of the Eastern District of California. The petitioner is confined at the R. J. Donovan Correctional Facility in San Diego. That facility is in San Diego County, within the venue of the Southern 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), 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 for this action is the Eastern District of California because the petitioner was convicted and the sentence was imposed in that district. Pursuant to 28 U.S.C. § 1404(a) and

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Habeas L.R. 2254-3(b), and in the 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: January 9, 2018



LAUREL BEELER
United States Magistrate Judge