

FILED

Nov 18 2021

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD PRENDEZ,
Petitioner,

v.

SUPERIOR COURT OF CALIFORNIA
RIVERSIDE,
Respondent.

Case No. [21-cv-08245-TSH](#)

ORDER OF TRANSFER

United States District Court
Northern District of California

Petitioner is currently incarcerated at Salt Creek Camp in Paskenta, California, and is challenging his conviction from Riverside County Superior Court. Dkt. No. 1 at 2. Paskenta is located in Tehama County, which lies within the venue of the Eastern District of California. Riverside County lies within the venue of the Central District of California. 28 U.S.C. § 84(b)-(c). Venue for a habeas action is proper in either the district of confinement or the district of conviction. 28 U.S.C. § 2241(d). Federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. *See Dannenberg v. Ingle*, 831 F. Supp. 767, 767 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Here, Petitioner’s conviction was obtained in the Central District of California. Venue therefore properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District Court for the Central District of California. *See* 28 U.S.C. § 1406(a).

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The Clerk shall transfer the file herewith.

IT IS SO ORDERED.

Dated: 11/18/2021


THOMAS S. HIXSON
United States Magistrate Judge