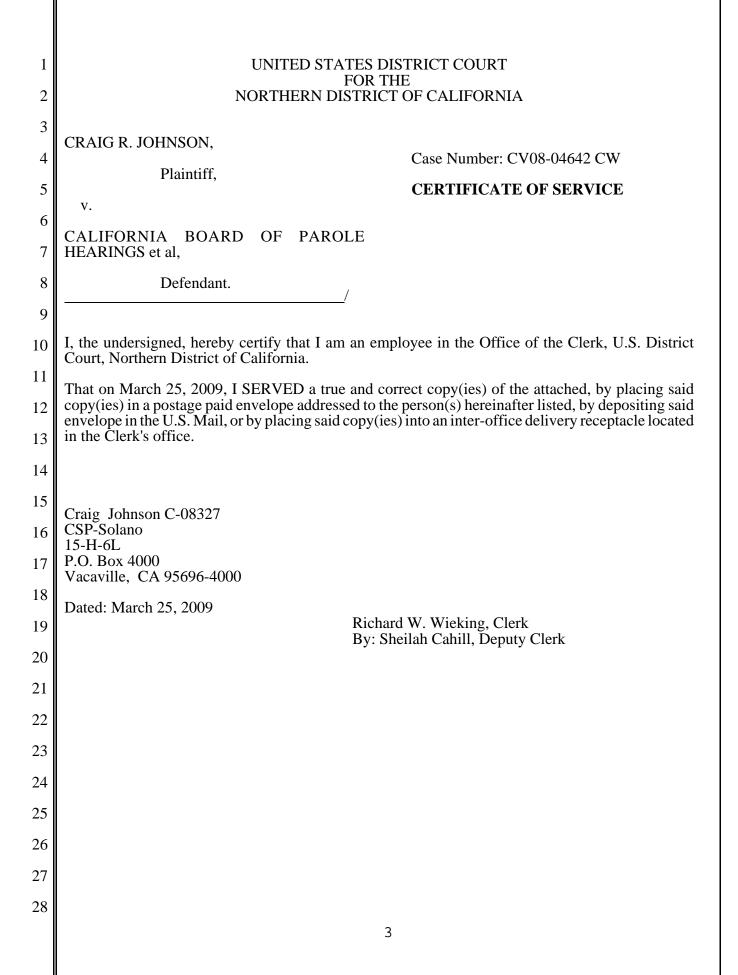
IN THE UNITED STATES DISTRICT COURT 1 2 FOR THE NORTHERN DISTRICT OF CALIFORNIA 3 4 No. C 08-04642 CW (PR) CRAIG JOHNSON, 5 ORDER OF TRANSFER Petitioner, 6 v. 7 D. K. SISTO, Warden, CALIFORNIA BOARD OF PAROLE 8 HEARINGS, 9 Respondents. 10 11 Petitioner, a state prisoner, has filed a pro se petition for 12 a writ of habeas corpus in which he challenges the execution of his 13 sentence. He has paid the filing fee.

14 A petition for a writ of habeas corpus filed by a state 15 prisoner in a State that contains two or more federal judicial 16 districts may be filed in either the district of confinement or the 17 district of conviction. See 28 U.S.C. § 2241(d). The district 18 court where the petition is filed, however, may transfer the 19 petition to the other district in the furtherance of justice. See 20 id. Federal courts in California traditionally have chosen to hear 21 petitions challenging a conviction or sentence in the district of 22 See Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. conviction. 23 Cal. 1993); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). 24 But if a habeas petition is directed to the manner in which a 25 sentence is being executed, e.g., if it involves parole or time 26 credit claims, the district of confinement is the preferable forum. 27 See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th 28 Cir. 1989).

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1	Petitioner is incarcerated at California State Prison -
2	Solano, which lies within the venue of the Eastern District of
3	California. <u>See</u> 28 U.S.C. § 84. Because Petitioner challenges the
4	execution of his sentence, the Court hereby ORDERS that pursuant to
5	28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests
6	of justice, this petition be TRANSFERRED to the United States
7	District Court for the Eastern District of California.
8	IT IS SO ORDERED.
9	Dated: 3/25/09
10	UNITED STATES DISTRICT JUDGE
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