

1 See Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993);
2 Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968).

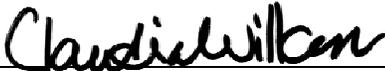
3 Here, Petitioner challenges a conviction and sentence incurred
4 in Solano County Superior Court, which is in the venue of the
5 Eastern District of California. See 28 U.S.C. § 84. Accordingly,
6 that is the proper venue for this action.

7 Pursuant to 28 U.S.C. § 1406(a) and Habeas L.R. 2254-3(b), and
8 in the interest of justice, the Clerk of the Court is ordered to
9 TRANSFER this action forthwith to the United States District Court
10 for the Eastern District of California.

11 All remaining motions are TERMINATED on this Court's docket as
12 no longer pending in this district.

13 IT IS SO ORDERED.

14 Dated: 11/17/08



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 CHARLES BRANCH,

5 Plaintiff,

6 v.

7 A J YATES et al,

8 Defendant.

Case Number: CV08-04934 CW

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
10 Court, Northern District of California.

11 That on November 17, 2008, I SERVED a true and correct copy(ies) of the attached, by placing
12 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
13 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
14 delivery receptacle located in the Clerk's office.

15 Charles Branch F-21462
16 Pleasant Valley State Prison
17 P.O. Box 8503
18 Coalinga, CA 93210

Dated: November 17, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk

United States District Court
For the Northern District of California

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