

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS BAKER,

Petitioner,

No. C 13-2724 PJH (PR)

v.

ORDER OF TRANSFER

PEOPLE OF THE STATE OF CALIFORNIA,

Respondent.

This is a habeas case filed pro se by a state prisoner. Petitioner seeks to challenge a conviction obtained in the Superior Court in and for Butte County. Butte County is in the venue of the United States District Court for the Eastern District of California. Petitioner is incarcerated at the California Correctional Institution, which is also in the Eastern District.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither. Because petitions challenging a conviction are preferably heard in the district of conviction, Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968), and petitioner was convicted in Butte County, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: June 26, 2013.

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PHYLLIS J. HAMILTON
United States District Judge