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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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7 NICHOLAS BAKER,

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Petitioner,

No. C 13-2724 PJH (PR)

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v.

**ORDER OF TRANSFER**

10 PEOPLE OF THE STATE OF CALIFORNIA,

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Respondent.

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13 This is a habeas case filed pro se by a state prisoner. Petitioner seeks to challenge a  
14 conviction obtained in the Superior Court in and for Butte County. Butte County is in the  
15 venue of the United States District Court for the Eastern District of California. Petitioner is  
16 incarcerated at the California Correctional Institution, which is also in the Eastern District.17  
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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.

PHYLLIS J. HAMILTON  
United States District Judge