Smith v. Foulk Doc. 3 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 JORDAN SMITH, No. 2:16-cv-0127 AC P 12 Petitioner, 13 **ORDER** v. 14 F. FOULK, Warden, 15 Respondent. 16 17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas 18 corpus pursuant to 28 U.S.C. § 2254. Petitioner has not paid the filing fee or submitted a request 19 to proceed in forma pauperis. 20 The application attacks a conviction issued by the Contra Costa County Superior Court. 21 While both this court and the United States District Court in the district where petitioner was 22 convicted have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973), any 23 and all witnesses and evidence necessary for the resolution of petitioner's application are more readily available in Contra Costa County. Id. at 499 n.15; 28 U.S.C. § 2241(d). 24 25 //// 26 //// 27 //// 28 //// 1

1	Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that this matter is
2	transferred to the United States District Court for the Northern District of California.
3	DATED: January 27, 2016
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5	ALLISON CLAIRE UNITED STATES MAGISTRATE JUDGE
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