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E-FILED - 9/29/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANTHONY LAMARR CLARK,)	No. C 07-1435 RMW (PR)
)	
Petitioner,)	ORDER OF TRANSFER
)	
vs.)	
)	
M. EVANS,)	
)	
Respondent.)	
_____)	

Petitioner, proceeding pro se, filed an amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on September 26, 2007. Petitioner seeks habeas relief from his underlying criminal conviction and sentence in the Superior Court of Orange county, which lies in the Central District of California.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction or sentence are preferably heard in the district of conviction. See Habeas L.R. 2254-3(a); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968).

Accordingly, this case is TRANSFERRED to the United States District Court for the Central District of California, the district of petitioner’s conviction at issue in this petition. See 28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b)(1). The clerk shall terminate any pending motions

1 and transfer the entire file to the Central District of California.

2 IT IS SO ORDERED.

3 DATED: 9/29/08

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

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