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NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEVEN ANTHONY CLEMENS,)	No. C 08-02885 JF (PR)
)	
Petitioner,)	ORDER OF TRANSFER
vs.)	
)	
D. K. SISTO, Warden,)	
)	
Respondent.)	
_____)	

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his 2006 criminal conviction in the Siskiyou Superior Court. Petitioner has paid the filing fee.

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 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); cf. Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (district of confinement best forum to review execution of sentence).

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1 Accordingly, this case is TRANSFERRED to the United States District Court for
2 the Eastern District of California, the district where Petitioner's conviction occurred. See
3 28 U.S.C. §§ 1391(b), 1404(a); Habeas L.R. 2254-3(b)(1). The Clerk shall transfer the
4 entire file to the Eastern District of California.

5 IT IS SO ORDERED.

6 DATED: 10/21/08



JEREMY FOGEL
United States District Judge

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