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**\*E-FILED - 10/27/08\***

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

HARRY COOKS,	)	No. C 08-4106 RMW (PR)
	)	
Petitioner,	)	ORDER OF TRANSFER
	)	
vs.	)	
	)	
D.K.SISTO, Warden, et al.,	)	
	)	
Respondents.	)	
_____	)	

Petitioner, a state prisoner proceeding pro se incarcerated at California State Prison, Solano, seeks a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the denial of parole by the California Board of Parole Hearings (“Board”). 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 the manner in which a sentence is being executed, e.g., if it involves claims challenging the denial of parole, the district of confinement is the preferable forum. See Habeas L.R. 2254-3(a)(2); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (district of confinement best forum to review execution of sentence).

California State Prison - Solano, where petitioner is confined, lies within the venue of the Eastern District of California. See 28 U.S.C. § 84. Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1404(-

1 a); Habeas L.R. 2254-3(b)(2). The clerk shall terminate any pending motions and transfer the  
2 entire file to the Eastern District of California.

3 IT IS SO ORDERED.

4 DATED: 10/22/08

  
RONALD M. WHYTE  
United States District Judge

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