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

ROBERTO TURCIOS,)	No. C 10-5817 LHK (PR)
)	
Petitioner,)	ORDER OF TRANSFER
)	
vs.)	
)	
OFFICER BURCH, et al.,)	
)	
Respondents.)	

Petitioner, a state prisoner at Kern Valley State Prison in Delano, California, seeks federal habeas review of the execution of his state sentence. Specifically, he seeks review of a prison disciplinary finding when he was incarcerated at High Desert State Prison in Susanville.

Venue is proper in a habeas action in either the district of conviction or the district of confinement. 28 U.S.C. § 2241(d). But the district of confinement is the preferable forum to review the execution of a sentence. *See* Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because Kern Valley State Prison lies in the Eastern District of California, the court orders that, pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be transferred to the United States District Court for the Eastern District of California.

Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California, the district in which Petitioner is currently confined. *See* 28

1 U.S.C. § 1404(a); Habeas L.R. 2254-3(b)(1). The Clerk shall terminate any pending motions
2 and transfer the entire file to the Eastern District of California.

3 IT IS SO ORDERED.

4 DATED: 2/7/11


LUCY H. KOH
United States District Judge

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