

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

NICHOLAS VASQUEZ, II,) No. C 13-3219 LHK (PR)
Petitioner,) ORDER OF TRANSFER
v.)
WARD G. SWARTHOUT,)
Respondent.)

Petitioner, proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner seeks habeas relief from his underlying criminal sentence from the Superior Court of Solano County, which lies in the Eastern 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). Here, the Eastern District of California is the district of conviction. Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1404(a). The Clerk shall transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.

DATED: 7/23/13

Lucy H. Koh
LUCY H. KOH
United States District Judge