

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIABENDY A. FALLA,  
Petitioner,

v.

WARDEN HATTON,  
Respondent.

Case No. 16-06325 EJD (PR)

**ORDER OF TRANSFER**

Petitioner, a state inmate currently confined at Folsom State Prison<sup>1</sup> which lies within Sacramento County, filed a pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. In the petition, Petitioner challenges the actions of prison officials in miscalculating his credits which is inconsistent with his plea bargain while he was incarcerated at Pelican Bay State Prison. He seeks proper calculation of credits in accordance with his plea bargain and the “‘order’ [of his] release from prison under special condition.” (Pet. Attach. at 7.)

Since Petitioner is challenging the execution of his sentence, the district of confinement is the preferable forum. See Habeas L.R. 2254-3(b)(2); Dunne v. Henman,

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<sup>1</sup> Petitioner’s current place of confinement is indicated by the most recent filing in this action. (See Docket No. 9.)

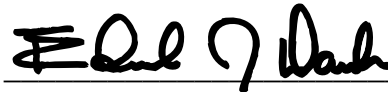
1 875 F.2d 244, 249 (9th Cir. 1989) (a petition directed to the manner in which a sentence is  
2 being executed, e.g., if it involves parole or time credits claims, the district of confinement  
3 is the preferable forum). Petitioner is confined in Sacramento County, which lies within  
4 the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Therefore, venue  
5 properly lies in that district and not in this one for this habeas action. See 28 U.S.C. §  
6 1391(b).

7 Accordingly, this case is TRANSFERRED to the United States District Court for  
8 the Eastern District of California. See 28 U.S.C. § 1406(a).

9 The Clerk shall terminate all pending motions and transfer the entire file to the  
10 Eastern District of California.

11 **IT IS SO ORDERED.**

12 **Dated:** 4/5/2017



EDWARD J. DAVILA  
United States District Judge