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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

JACARNELL DOTSON ,

Petitioner,

vs.

SCRIBNER, Warden,

Respondent.

Civil No. 06-CV-02622 JM (AJB)

**ORDER TRANSFERRING
ACTION TO UNITED STATES
DISTRICT COURT FOR THE
CENTRAL DISTRICT OF
CALIFORNIA, EASTERN
DIVISION**

Petitioner is a state prisoner proceeding pro se with a habeas corpus action filed pursuant to 28 U.S.C.A. § 2254 (West Supp. 2005). Petitioner has also filed a motion to proceed in forma pauperis. Upon reviewing the petition, the Court finds that this case should be transferred in the interest of justice. Thus, this Court does not rule on Petitioner's in forma pauperis status.

A petition for writ of habeas corpus may be filed in the United States District Court of either the judicial district in which the petitioner is presently confined or the judicial district in which he was convicted and sentenced. *See* 28 U.S.C. § 2241(d); *Braden v. 30th Judicial Circuit Court*, 410 U.S. 484, 497 (1973). Petitioner is presently confined at Calipatria State Prison, located in Imperial County, which is within the jurisdictional boundaries of the United States District Court for the Southern District of California. *See* 28 U.S.C. § 84(d). Petitioner's state court conviction occurred in Victorville Superior

1 Court, in San Bernardino County, which is located within the jurisdictional boundaries
2 of the United States District Court for the Central District of California, Eastern Division
3 *See* 28 U.S.C. § 84(c)(1). Thus, jurisdiction exists in both the Southern and Central
4 Districts.

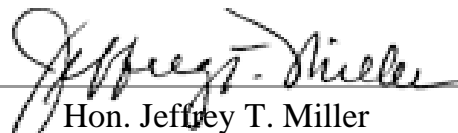
5 When a habeas petitioner is challenging a state court conviction, the district court
6 of the district in which the state court conviction took place is a more convenient forum
7 because of the accessibility of evidence, records and witnesses. Thus, it is generally the
8 practice of the district courts in California to transfer habeas actions questioning state
9 court convictions to the district in which the state court conviction took place. Any and
10 all records, witnesses and evidence necessary for the resolution of Petitioner's
11 contentions are more readily available in San Bernardino County. *See Braden*, 410 U.S.
12 at 497, 499 n.15 (stating that a court can, of course, transfer habeas cases to the district
13 of conviction which is ordinarily a more convenient forum). Therefore, in the furtherance
14 of justice,

15 **IT IS ORDERED** that the Clerk of this Court transfer this matter to the United
16 States District Court for the Central District of California, Eastern Division. *See* 28
17 U.S.C. § 2241(d).

18 **IT IS FURTHER ORDERED** that the Clerk of this Court serve a copy of this
19 Order upon Petitioner and upon the California Attorney General.

20 **IT IS SO ORDERED.**

21 DATED: December 11, 2006

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23 
24 Hon. Jeffrey T. Miller
25 United States District Judge
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