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

MANUEL MENDEZ,  
  
Petitioner,  
  
vs.  
  
V.M. ALMAGER, Warden  
  
Respondent.

Civil No. 07-0247 WQH (PCL)

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

Petitioner is a state prisoner proceeding with a habeas corpus action filed pursuant to 28 U.S.C. § 2254 attacking a conviction from the Superior Court of Orange County, California. Upon reviewing the petition, the Court finds that this case should be transferred in the interest of justice.


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). The application in the present matter attacks a judgment of conviction that was entered in the Orange County Superior Court, which is within the jurisdictional boundaries of the United States District Court for the Central District of California, Southern Division. 28 U.S.C. § 84(c)(3). Petitioner is presently confined at Centinela State Prison in Imperial, California, located in Imperial County, which is within the

1 jurisdictional boundaries of the United States District Court for the Southern District of  
2 California. 28 U.S.C. § 84(d). Thus, jurisdiction exists in both the Central and Southern  
3 Districts.

4 When a habeas petitioner is challenging a judgment of conviction, the district court of the  
5 district in which the judgment of conviction was entered is a more convenient forum because of  
6 the accessibility of evidence, records and witnesses. Thus, it is generally the practice of the  
7 district courts in California to transfer habeas actions questioning judgments of conviction to the  
8 district in which the judgment was entered. Any and all records, witnesses and evidence  
9 necessary for the resolution of Petitioner's contentions are available in Orange County. *See*  
10 *Braden*, 410 U.S. at 497, 499 n.15 (stating that a court can, of course, transfer habeas cases to  
11 the district of conviction which is ordinarily a more convenient forum); *Laue v. Nelson*, 279  
12 F. Supp. 265, 266 (N.D. Cal. 1968).

13 Therefore, in the furtherance of justice, **IT IS ORDERED** that the Clerk of this Court  
14 transfer this matter to the United States District Court for the Central District of California,  
15 Southern Division. *See* 28 U.S.C. § 2241(d). **IT IS FURTHER ORDERED** that the Clerk of  
16 this Court serve a copy of this Order upon Petitioner and upon the California Attorney General.

17 DATED: February 13, 2007

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19 **WILLIAM Q. HAYES**  
20 United States District Judge

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