

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

GARY WAITERS,

Petitioner,

No. C 10-5381 PJH (PR)

v.

ORDER OF TRANSFER

Warden REYOND; Warden McKAY;
Associate Warden WASHINGTON; and
Major SEAWARD,

Respondents.

This is a habeas case filed pro se by a state prisoner. Petitioner alleges that he was convicted in Ridgeland, South Carolina, and that he now is housed at Kershaw, South Carolina.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither, but the district of South Carolina is both. This case therefore is **TRANSFERRED** to the United States District Court for the District of South Carolina. See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: December 20, 2010.



PHYLLIS J. HAMILTON
United States District Judge