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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.



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PHYLLIS J. HAMILTON  
United States District Judge