

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Jason Robert Porter v. Warden of P.V.S.P.

Porter · No. 1:25-cv-01134-SAB-HC · Decided September 9, 2025

SUMMARY

The United States District Court for the Eastern District of California transfers Jason Robert Porter's 28 U.S.C. § 2254 habeas petition to the Central District of California. The court determines that venue is proper in the district of conviction because the petition challenges a criminal judgment from the San Luis Obispo County Superior Court, and notes that it has not ruled on the in forma pauperis request.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                  |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                              |
| WRITING FOR THE COURT | Stanley A. Boone                                                                                                                                                                                                                                                 |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                              |
| DECIDED               | September 9, 2025                                                                                                                                                                                                                                                |
| DOCKET                | 1:25-cv-01134-SAB-HC                                                                                                                                                                                                                                             |
| DISPOSITION           | remanded                                                                                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | A state prisoner proceeding pro se filed a petition for writ of habeas corpus under 28 U.S.C. § 2254 in the Eastern District of California. The court transferred the action to the Central District of California rather than dismissing it for improper venue. |
| PRECEDENTIAL VALUE    | Unpublished district court transfer order; limited precedential value.                                                                                                                                                                                           |

TOPICS

- federal habeas corpus
- venue
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- venue
- civil procedure

QUESTIONS PRESENTED

- Whether the Eastern District of California was the proper venue for a state habeas petition challenging a criminal judgment from the San Luis Obispo County Superior Court.

2. Whether the court should transfer the petition to the Central District of California under 28 U.S.C. § 2241(d) and § 1404(a).

## HOLDINGS

1. A habeas petition challenging a criminal judgment from the San Luis Obispo County Superior Court is properly heard in the federal district encompassing the district of conviction, the Central District of California.
2. The action should be transferred to the United States District Court for the Central District of California.

## KEY QUOTATIONS

*“Accordingly, IT IS HEREBY ORDERED that this action is TRANSFERRED to the United States District Court for the Central District of California.”* (at 2)

## FACTUAL BACKGROUND

Jason Robert Porter, a state prisoner, filed a federal habeas petition under 28 U.S.C. § 2254. The petition challenged a criminal judgment entered by the San Luis Obispo County Superior Court. Because San Luis Obispo County lies within the Central District of California, the court concluded that the district of conviction was the proper venue.

## PROCEDURAL HISTORY

Petitioner challenged a criminal judgment from the San Luis Obispo County Superior Court. The Eastern District of California determined that the district of conviction was the proper venue and transferred the case to the United States District Court for the Central District of California. The court had not ruled on petitioner's request to proceed in forma pauperis.

## DISPOSITION

remanded

## REMAND INSTRUCTIONS

The action is transferred to the United States District Court for the Central District of California for further proceedings. The Eastern District of California did not rule on the request to proceed in forma pauperis.

## CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004)
- *Carbo v. United States*, 364 U.S. 611, 618, 81 S. Ct. 338, 5 L. Ed. 2d 329 (1961)
- *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989)
- *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968)

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