

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hill v. Cavagnolo

Hill · No. 2:25-cv-1703 CKD P · Decided June 20, 2025

SUMMARY

The court transferred a state prisoner’s application for a writ of habeas corpus under 28 U.S.C. § 2254 to the United States District Court for the Central District of California. The transfer was based on the greater availability of witnesses and evidence in Riverside County, where the challenged conviction was issued.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 20, 2025
DOCKET	2:25-cv-1703 CKD P
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner proceeding pro se filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The court transferred the matter sua sponte to the United States District Court for the Central District of California.
PRECEDENTIAL VALUE	Unknown; district court transfer order with no reported citation.
PARTIES	Marchello Hill v. J. Cavagnolo

TOPICS

- federal habeas corpus
- venue
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Venue and transfer

QUESTIONS PRESENTED

1. Whether the Eastern District of California should transfer the § 2254 habeas proceeding to the federal district court serving Riverside County because the relevant witnesses and evidence were more readily available there.

HOLDINGS

1. When both the district in which the habeas petition is filed and the federal district encompassing the place of conviction have jurisdiction, the court may transfer the proceeding in the furtherance of justice to the district where the relevant witnesses and evidence are more readily available.

KEY QUOTATIONS

“Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that this matter is transferred to the United States District Court for the Central District of California.” (at 2)

FACTUAL BACKGROUND

Marchello Hill is a state prisoner who filed a federal habeas application challenging a conviction issued by the Superior Court of Riverside County. The court determined that the relevant witnesses and evidence were more readily available in Riverside County than in the Eastern District of California.

PROCEDURAL HISTORY

Petitioner challenged a conviction issued by the Superior Court of Riverside County. The Eastern District of California determined that it and the federal district court in the district of conviction had jurisdiction, but that witnesses and evidence were more readily available in Riverside County, and transferred the matter to the Central District of California.

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was transferred to the United States District Court for the Central District of California; no remand instructions were issued.

CASES CITED

- *Braden v. 30th Judicial Circuit Court*, 410 U.S. 484 (1973)

OPINION

(HC) Hill v. Cavagnolo

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 MARCHELLO HILL, No. 2:25-cv-1703 CKD P

12 Petitioner, 13 v. ORDER

14 J. CAVAGNOLO,

15 Respondent. 16

17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas 18
corpus pursuant to 28 U.S.C. § 2254. The application attacks a conviction issued by the Superior
19 Court of Riverside County. While both this court and the United States District Court in the 20
district where petitioner was convicted have jurisdiction, see *Braden v. 30th Judicial Circuit* 21
Court, 410 U.S. 484 (1973), any and all witnesses and evidence necessary for the resolution of 22
petitioner's application are more readily available in Riverside County. *Id.* at 499 n.15; 28 U.S.C.
23 § 2241(d). 24 ///// 25 ///// 26 ///// 27 ///// 28 /////] Accordingly, in the furtherance of justice, IT
IS HEREBY ORDERED that this matter is 2 || transferred to the United States District Court for
the Central District of California. 3 | Dated: June 20, 2025 Card ft 4 by ae

4 CAROLYNK. DELANEY SOS

5 UNITED STATES MAGISTRATE JUDGE

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