

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Turner v. Ferrera

No. 1:25-cv-00342-CDB (HC) (E.D. Cal. Mar. 25, 2025) · No. 1:25-cv-00342-CDB (HC) · Decided March 25, 2025

SUMMARY

The United States District Court for the Eastern District of California transferred Anthony R. Turner’s habeas corpus action to the Sacramento Division. The court concluded that Solano County, where Turner was incarcerated and where the underlying state criminal proceedings were pending, was within the Sacramento Division and was the more appropriate forum under Local Rule 120(f).

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 25, 2025
DOCKET	1:25-cv-00342-CDB (HC)
DISPOSITION	other
PROCEDURAL POSTURE	State prisoner filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. The Eastern District of California sua sponte transferred the action from the Fresno Division to the Sacramento Division under Local Rule 120(f).
STANDARD OF REVIEW	The court exercised its authority to transfer a civil action sua sponte under Eastern District of California Local Rule 120(f), considering the appropriate and convenient division.
PRECEDENTIAL VALUE	unpublished district court transfer order; nonprecedential
PARTIES	Anthony R. Turner v. Thomas A. Ferrera

TOPICS

- federal habeas corpus
- venue
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- civil procedure
- venue

QUESTIONS PRESENTED

1. Whether the action should be transferred to the Sacramento Division because the petitioner was incarcerated there and the relevant state criminal proceedings and events occurred there.
2. Whether the petition appeared to state a cognizable claim under 28 U.S.C. § 2254 or might instead be more appropriately brought under 42 U.S.C. § 1983.

HOLDINGS

1. The action should be transferred sua sponte to the Sacramento Division of the Eastern District of California because Solano County is located in that division and it is the better forum for claims concerning the petitioner's incarceration and pending state criminal action.

KEY QUOTATIONS

“Therefore, this action will be transferred to the Sacramento Division of the Court.” (at 2)

FACTUAL BACKGROUND

Anthony R. Turner was a state prisoner held in Solano County Jail pending state criminal charges arising from an alleged robbery on March 5, 2021. He filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. The court noted that the petition did not appear to challenge a conviction or sentence and that the relevant incarceration, criminal proceedings, and underlying events occurred in Solano County, within the Sacramento Division.

PROCEDURAL HISTORY

Turner filed a habeas petition challenging his incarceration in Solano County Jail while state criminal charges were pending in Solano County Superior Court. The court determined that Solano County is within the Sacramento Division and transferred the action there as the more appropriate division for the claims.

DISPOSITION

other

CASES CITED

- *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 499 & n.15 (1973)
- *Tate v. Unknown*, No. JLS (LR), 2024 WL 2880583, at *1 (S.D. Cal. May 7, 2024)
- *Gakuba v. Cal. Attorney General*, No. 22-cv-07698 NC (PR), 2022 WL 17813143, at *1 (N.D. Cal. Dec. 16, 2022)
- *Dannenberg v. Ingle*, 831 F. Supp. 767, 767 (N.D. Cal. 1993)

OPINION

(HC) *Turner v. Ferrara*
PER CURIAM.

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8 UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

10 11 ANTHONY R. TURNER, Case No. 1:25-cv-00342-CDB (HC) 12 Petitioner, ORDER
TRANSFERRING CASE TO THE

SACRAMENTO DIVISION OF THE

13 v. EASTERN DISTRICT OF CALIFORNIA

14 THOMAS A. FERRERA, (Doc. 1)

15 Respondent. 16

17 Petitioner Anthony R. Turner (“Petitioner”) is a state prisoner proceeding pro se with a petition
18 for writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Doc. 1). Petitioner appears to
challenge his 19 incarceration in Solano County Jail pending state criminal charges filed against
him in the Superior 20 Court for the County of Solano arising from his alleged robbery of a victim
on March 5, 2021. (See 21 id. at 1, 12-14). Solano County is located in the Sacramento Division of
the Eastern District of 22 California. E.D. Cal. Local Rule 120(d). 23 When a habeas petition is
filed by a person in custody under a state court judgment, and that 24 state contains two or more
federal judicial districts—such as California—the petition may be filed in 25 either the judicial
district in which the petitioner is presently confined, or the judicial district in which 26 he was
convicted and sentenced. See 28 U.S.C. § 2241(d). When a habeas petition challenges the 27
petitioner’s conviction or sentence, e.g., a habeas petition brought pursuant to 28 U.S.C. § 2254,
the 28 district where the petitioner was convicted and sentenced is a more convenient forum
because trial 1 || court records, witnesses, and other evidence related to the crime and his
conviction are usually locate 2 that district. See *Braden v. 30 Judicial Cir. Ct. of Ky.*, 410 U.S. 484,
499 & n.15 (1973). Thu 3 || California courts generally transfer habeas actions challenging state
convictions or sentences to tl 4 || district where the petitioner was convicted and sentenced. See,
e.g., *Tate v. Unknown*, No. □□□□□□□□ 5 || JLS (LR), 2024 WL 2880583, at *1 (S.D. Cal. May 7,
2024) (citing *Braden*); *Gakuba v. Cal. Attorn 6 || Gen.*, No. 22-cv-07698 NC (PR), 2022 WL
17813143 at *1 (N.D. Cal. Dec. 16, 2022); *Dannenberg 7 || Ingle*, 831 F. Supp. 767, 767 (N.D.
Cal. 1993). 8 Here, it is unclear whether Petitioner is entitled to habeas relief at all given he does
not appe 9 present any challenge to a conviction or sentence, and as such, any cognizable claim he
may hav 10 || may be asserted more appropriately pursuant to 42 U.S.C. § 1983. In any event,
because Petitioner 11 || challenging his incarceration within Solano County, the better forum for
his claims is the division | 12 || the district court where he is incarcerated (the Sacramento
Division), particularly because, accordit 13 || to the petition, the events surrounding his
incarceration occurred within the Sacramento Division | 14 || the Court and the criminal action
against him resulting in his incarceration is pending in a state cou 15 || within the Sacramento
Division. (Doc. 1). 16 Pursuant to Local Rule 120(f), a civil action which has not been

commenced in the prop 17 || division of a court may, on the court's own motion, be transferred to the proper division of the cou 18 || Therefore, this action will be transferred to the Sacramento Division of the Court. 19 || Conclusion and Order 20 Accordingly, this action is transferred to the United States District Court for the Easte: 21 |} District of California sitting in Sacramento. All future filings shall reference the new Sacramento ca 22 || number assigned and shall be filed at: 23 United States District Court Eastern District of California 24 501 I Street, Room 4-200 Sacramento, CA 95814 25 26 IT IS SO ORDERED. 97 || Dated: _ March 25, 2025 | br Pr 38 UNITED STATES MAGISTRATE JUDGE