

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).

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 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, 4998 & 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