

**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

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, 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 appear 9 present any challenge to a conviction or sentence, and as such, any cognizable claim he may have 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, according 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 court 15 || within the Sacramento Division. (Doc. 1). 16 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper 17 || division of a court may, on the court's own motion, be transferred to the proper division of the court 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 Eastern District of California sitting in Sacramento. All future filings shall reference the new Sacramento case 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