

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Eric Wilton Burton v. Raul Morales

Burton v. Morales · No. 2:25-cv-3068 CSK P · Decided October 31, 2025

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 ERIC WILTON BURTON, No. 2:25-cv-3068 CSK P 12 Petitioner, 13 v.
ORDER 14 RAUL MORALES, 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. Petitioner
challenges the March 26, 2025 decision of the 19 California Board of Parole Hearings to deny him
parole.

Consequently, the instant petition is one 20 for review of the execution of a sentence. See *Rosas v.
Nielsen*, 428 F.3d 1229, 1232 (9th Cir. 21 2005) (denial of parole is “a decision ‘regarding the
execution’ of” a prison sentence).

As a 22 general rule, “[t]he proper forum to challenge the execution of a sentence is the district
where the 23 prisoner is confined.” *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989).
Petitioner is 24 incarcerated at the California Substance Abuse Treatment Facility, County of
Kings, which lies in 25 the Fresno Division of the United States District Court for the Eastern
District of California.

26 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper 27
division of a court may, on the court’s own motion, be transferred to the proper division of the 28
court. Therefore, this action will be transferred to the Fresno Division of the court.] Good cause
appearing, IT IS HEREBY ORDERED that: 2 1. This action is transferred to the United States
District Court for the Eastern District of 3 | California sitting in Fresno; and 4 2.

All future filings shall reference the new Fresno case number assigned and shall be 5 || filed at:
United States District Court 6 Eastern District of California 2500 Tulare Street 7 Fresno, CA
93721 8 9 10 || Dated: October 31, 2025 eq - S\$. CHI SOO KIM UNITED STATES
MAGISTRATE JUDGE 13 14 | Burt3068.108/2 15 16 17 18 19 20 21 22 23 24 25 26 27 28