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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BURK N. ASHFORD,  
Petitioner,  
v.  
SCOTT KERNAN,  
Respondent.

No. 2:17-cv-1470 CKD P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis. This court will not rule on petitioner's request to proceed in forma pauperis.

Petitioner is incarcerated in California Men’s Colony and is challenging a disciplinary conviction for while an inmate at California Men’s Colony for refusing to participate in programming. California Men’s Colony is in an area embraced by the United States District Court for the Central District of California.

Pursuant to 28 U.S.C § 2241(d), courts in both the district of conviction and the district of confinement have concurrent jurisdiction over applications for habeas corpus filed by state prisoners. Because petitioner was not convicted in this district, and is not presently confined here, this court does not have jurisdiction to entertain the application.

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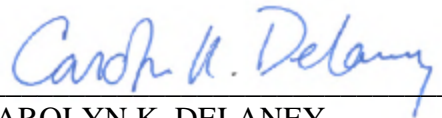
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Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that:

1. This court has not ruled on petitioner’s application to proceed in forma pauperis; and

2. This matter is transferred to the United States District Court for the Central District of California. 28 U.S.C. § 2241(d); 28 U.S.C. § 1406(a).

Dated: July 18, 2017

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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