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

DANIEL A. GOMEZ,

Petitioner,

No. CIV S-05-0884 LKK DAD P

vs.

THE PEOPLE,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a petition for writ of habeas corpus on a state court form. Petitioner has also filed a motion for appointment of counsel. Petitioner has not paid the required filing fee or filed an application for leave to proceed in forma pauperis.

In his habeas petition, petitioner challenges a judgment of conviction entered in the Kern County Superior Court on March 5, 2004. Kern County is located in the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 3-120(b). Pursuant to Local Rule 3-120(d), a civil action which has not been commenced in the proper division of this court may, on the court's own motion, be transferred to the proper division of the court. Therefore, this action will be transferred to the Fresno Division of the court for all further proceedings.

1 Good cause appearing, IT IS HEREBY ORDERED that:

2 1. This action is transferred to the United States District Court for the Eastern
3 District of California sitting in Fresno; and

4 2. All future filings in this action shall bear the new Fresno case number and shall
5 be filed at:

6 United States District Court
7 Eastern District of California
8 1130 "O" Street
9 Fresno, CA 93721

9 DATED: May 17, 2005.

10 
11 _____
12 DALE A. DROZD
13 UNITED STATES MAGISTRATE JUDGE

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