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

JOSE OCASIO, 1:05-CV-1172 REC LJO HC
Petitioner,
v.
JAMES A. YATES, Warden,
Respondent. ORDER OF TRANSFER

_____/

Petitioner, a state prisoner proceeding pro se, has filed a habeas corpus action pursuant to 28 U.S.C. § 2254 and has paid the filing fee.

The petitioner is challenging a conviction from San Joaquin County, which is part of the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, the petition should have been filed in the Sacramento Division.

Pursuant to Local Rule 3-120(b), a civil action which has not been commenced in the proper court may, on the court's own motion, be transferred to the proper court. Therefore, this action will be transferred to the Sacramento Division.

Good cause appearing, IT IS HEREBY ORDERED that:
1. This action is transferred to the United States District Court for the Eastern District of California sitting in Sacramento; and

1 2. All future filings shall reference the new Sacramento case number assigned and shall be
2 filed at:

3 United States District Court
4 Eastern District of California
5 501 "I" Street, Suite 4-200
6 Sacramento, CA 95814

7 IT IS SO ORDERED.

8 **Dated: January 3, 2006**
9 23ehd0

10 /s/ Lawrence J. O'Neill
11 UNITED STATES MAGISTRATE JUDGE
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