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

KEVIN DAVENPORT,

Petitioner,

No. CIV S-09-0923 GGH P

vs.

JOHN W. HAVILAND,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding with counsel, 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 petition was transferred from the Central District, and was filed in the Sacramento Division. In his application, however, petitioner challenges a conviction issued by the Kern County Superior Court. Kern County is part of the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 3-120(d).

Pursuant to Local Rule 3-120(f), a civil action which has not been commenced in the proper division of a 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.

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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 shall reference the new Fresno case number assigned and
5 shall be filed at:

6 United States District Court
7 Eastern District of California
8 2500 Tulare Street
9 Fresno, CA 93721

10 DATED: April 13,2009

11 /s/ Gregory G. Hollows

12

GREGORY G. HOLLOWS
13 UNITED STATES MAGISTRATE JUDGE

14 GGH:009/kly
15 dave0923.109