

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

DION LEE MILAM,

Petitioner,

No. CIV S-10-0676 EFB P

VS.

M.D. McDONALD,

Respondent.

ORDER

Petitioner, a state prisoner without counsel, seeks a writ of habeas corpus. *See* 28 U.S.C. § 2254. Petitioner seeks leave to proceed *in forma pauperis*. *See* 28 U.S.C. § 1915(a).

Petitioner challenges a conviction in the Stanislaus County Superior Court and so this action should have been commenced in the district court in Fresno. Local Rule 120(d). The court will not rule on petitioner's application leave for to proceed *in forma pauperis*.

Accordingly, it is hereby ordered that:

1. This action is transferred to the district court in Fresno. *See* Local Rule 120(f).
2. The Clerk of Court shall assign a new case number.

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1 3. All future filings shall bear the new case number and shall be filed at:

2 United States District Court
3 Eastern District of California
4 2500 Tulare Street
5 Fresno, CA 93721

6 DATED: April 12, 2010.

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8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE