

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

GARY ULUKIVAIOLA,

1:10-cv-00927-MJS (HC)

Petitioner,

ORDER TRANSFERRING CASE TO THE  
SACRAMENTO DIVISION OF THE  
UNITED STATES DISTRICT COURT,  
EASTERN DISTRICT OF CALIFORNIA

vs.

L. S. McEWEN, Warden,

### Respondent.

Petitioner, a state prisoner proceeding pro se, has filed a habeas corpus action pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

The petitioner is challenging a conviction from Sacramento 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 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

1 action will be transferred to the Sacramento Division. This court will not rule on petitioner's  
2 request to proceed in forma pauperis.

3 Good cause appearing, IT IS HEREBY ORDERED that:

4 1. This court has not ruled on petitioner's request to proceed in forma pauperis.  
5 2. This action is transferred to the United States District Court for the Eastern District of  
6 California sitting in Sacramento; and  
7 3. All future filings shall reference the new Sacramento case number assigned and shall  
8 be filed at:

9 United States District Court  
10 Eastern District of California  
11 501 "I" Street, Suite 4-200  
12 Sacramento, CA 95814

13 IT IS SO ORDERED.

14 Dated: June 1, 2010

15 /s/ Michael J. Leng  
16 UNITED STATES MAGISTRATE JUDGE  
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