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

10 DAVID McGUIRE,

11 Petitioner,

No. 2:11-cv-0412 KJN P

12 vs.

13 M. MARTEL, Warden,

14 Respondent.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding without counsel, has filed an application¹
17 for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in
18 forma pauperis. In his application, petitioner challenges a conviction issued by the Kern County
19 Superior Court. Kern County is part of the Fresno Division of the United States District Court
20 for the Eastern District of California. See Local Rule 120(d).

21 Pursuant to Local Rule 120(f), a civil action which has not been commenced in
22 the proper division of a court may, on the court's own motion, be transferred to the proper
23 division of the court. Therefore, this action will be transferred to the Fresno Division of the
24 court. This court will not rule on petitioner's request to proceed in forma pauperis.

25 _____
26 ¹ It also appears petitioner has failed to sign the application (dkt. no. 1 at 6, 115), as well
as the motion to proceed in forma pauperis (dkt. no. 2).

1 Good cause appearing, IT IS HEREBY ORDERED that:


2 1. This court has not ruled on petitioner's request to proceed in forma pauperis;

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

5 3. All future filings shall reference the new Fresno case number assigned and
6 shall be filed at:

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

10 DATED: February 24, 2011

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12 
13 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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