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

HOWARD LEE ROBERTS,

Petitioner,

No. CIV S-11-2057 MCE EFB P

vs.

MIKE MARTEL, Warden,

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 Fresno County Superior Court and so this action should have been commenced in the district court in Fresno. E.D. Cal. Local Rule 120(d). The court will not rule on petitioner’s application for leave to proceed *in forma pauperis*.

Accordingly, it is hereby ordered that:

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

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

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

DATED: September 13, 2011.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE