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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 DION DARYL WHEELWRIGHT,

1:13-cv-00557 BAM (HC)

12 Petitioner,

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

13 vs.

14 THE CALIFORNIA DEPARTMENT OF  
CORRECTIONS,

15 Respondent.  
16 \_\_\_\_\_/

17 Petitioner, a state prisoner proceeding pro se, has filed a habeas corpus action pursuant to  
18 28 U.S.C. § 2254, together with a request to proceed in forma pauperis pursuant to 28 U.S.C.  
19 § 1915.

20 The petitioner is challenging a judgment from Sacramento County, which is part of the  
21 Sacramento Division of the United States District Court for the Eastern District of California.  
22 He complains his abstract of judgment should be amended because he was not awarded the  
23 appropriate amount of sentence credits pursuant to California Penal Code § 2900.5. Therefore,  
24 the petition should have been filed in the Sacramento Division.

25 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper  
26 court may, on the court's own motion, be transferred to the proper court. Therefore, this action

1 will be transferred to the Sacramento Division. This court will not rule on petitioner's request to  
2 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  
Sacramento, CA 95814

12 IT IS SO ORDERED.

13 Dated: April 22, 2013

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE