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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROOSEVELT MOORE,
Petitioner,
v.
STAINER, et al.,
Respondents.

No. 2:16-cv-1320 KJN P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis. Petitioner is presently housed at California State Prison, Los Angeles County, in Lancaster, California. His application attacks a rules violation report issued when petitioner was housed at Kern Valley State Prison. While both this court, and the United States District Court for the Central District of California have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973), any and all witnesses and evidence necessary for the resolution of petitioner’s application are more readily available in Kern County. Id. at 499 n.15; 28 U.S.C. § 2241(d). Kern County is part of the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 120(d).

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper division of a court may, on the court’s own motion, be transferred to the proper division of the

1 court. Therefore, this action will be transferred to the Fresno Division of the court. This court
2 will not rule on petitioner's request to proceed in forma pauperis.

3 Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that:

- 4 1. This court has not ruled on petitioner's application to proceed in forma pauperis; and
- 5 2. This matter is transferred to the Fresno Division of the United States District Court for
6 the Eastern District of California.

7 Dated: June 23, 2016

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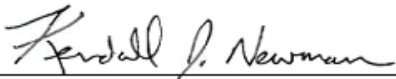
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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE