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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARCUS L. LINTHECOME,

Petitioner,

v.

ALFARO, NKSP CDCR Warden,
LEONARD CATANEDA, CCPOA (Union)
CDCR,

Respondents.

Case No. 1:17-CV-00872-SKO HC

ORDER TRANSFERRING CASE TO
U.S. DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA

Petitioner, Marcus L. Linthecome, is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. He filed a civil rights action pursuant to 42 U.S.C. § 1983 on April 12, 2017, in the U.S. District Court for the Northern District of California. Because the complaint described events that occurred at the North Kern State Prison in Kern County, the Northern District transferred the case to this Court on June 30, 2017. (Doc. 14.)

On July 31, 2017, Petitioner re-filed his action on a petition for writ of habeas corpus. (Doc. 21.) Petitioner notified the Court that he would like to pursue this action as a writ of habeas pursuant to § 2254, and not based on conditions of confinement under § 1983. (Doc. 25.) Consequently, the Court directed the Clerk's Office to re-designate this action as one for habeas corpus, (Doc. 26), and Petitioner re-filed his petition on September 18, 2017, (Doc. 27.)

1 Venue for a habeas action is proper in either the district of confinement or the district of
2 conviction. 38 U.S.C. § 2241 (d). Petitioner was convicted in the Los Angeles County Superior
3 Court and is currently confined at the West Valley Detention Center in Rancho Cucamonga, San
4 Bernardino County, California. Both Los Angeles County and San Bernardino County are located in
5 Central District of California.

6 Accordingly, the Court hereby ORDERS that this case be TRANSFERRED to the United
7 States District Court for the Central District of California.

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9 IT IS SO ORDERED.

10 Dated: October 23, 2017

11 */s/ Sheila K. Oberto*
12 UNITED STATES MAGISTRATE JUDGE
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