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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

XAVIER LUMAR J'WEIAL

Petitioner,

v.

JOE LIZARRAGA

Respondent.

No. 2:17-CV-02316 GGH

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, ECF No. 1, and an application to proceed in forma pauperis. ECF No. 2. The court has not ruled on that application.

Petitioner is currently confined in the Mule Creek State Prison which is within the Eastern District of California, but his conviction emanated from a judgment entered in the Superior Court for Kern County and his appeal was before the Fifth Circuit Court of Appeal. Therefore, the proper venue for the case is in the Fresno Division of this court where the records regarding petitioner's conviction, and those related to his appeal to the Fifth District Court of Appeal, are readily available .

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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court shall transfer this case to the Fresno Division of this court and close this file.

DATED: November 15, 2017

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE