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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 ALFREDO ORTEGA,

12 Petitioner,

13 v.

14 KINGS COUNTY JAIL,

15 Respondent.  
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Case No. 1:21-cv-00665-EPG-HC

ORDER DIRECTING PETITIONER TO  
NOTIFY COURT REGARDING VENUE

17 On April 21, 2021, the Court received a petition for writ of habeas corpus filed by  
18 Petitioner Alfredo Ortega. (ECF No. 1). Therein, Petitioner challenges his assignment to the  
19 administrative segregation unit of the Kings County Jail. (Id. at 3).<sup>1</sup> Attached to the petition is a  
20 copy of the administrative grievance Petitioner filed and the Sheriff's first, second, and third  
21 level responses. (Id. at 7–13).

22 Petitioner used a HC-001 form approved by the Judicial Council of California and listed  
23 the Superior Court of California, County of Kings in Hanford, California as the applicable court.  
24 (ECF No. 1 at 1). However, the instant petition was received by this Court—the Fresno Division  
25 of the United States District Court for the Eastern District of California. Although the petition  
26 was submitted to this Court, it appears that Petitioner seeks to present his claims to the Kings  
27 County Superior Court.

28 <sup>1</sup> Page numbers refer to the ECF page numbers stamped at the top of the page.

Accordingly, IT IS HEREBY ORDERED that within **THIRTY (30) days** from the date of service of this order Petitioner shall either:

1. Notify the Court that he wishes to proceed with his habeas petition in the federal district court; OR
2. Voluntarily dismiss the instant action so that Petitioner may file his petition and present his claims to the Kings County Superior Court.

IT IS SO ORDERED.

Dated: **April 27, 2021**

/s/ Eric P. Grogg  
UNITED STATES MAGISTRATE JUDGE