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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDUARDO GUTIERREZ,

Petitioner,

No. CIV S-09-2030 EFB P

vs.

MIKE MCDONALD,

Respondent.

ORDER

\_\_\_\_\_ /

Petitioner, a state prisoner without counsel, seeks a writ of habeas corpus. *See* 28 U.S.C. § 2254.

Petitioner challenges a conviction in the Kern County Superior Court and so this action should have been commenced in the district court in Fresno. Local Rule 3-120(d).

Accordingly, it is hereby ordered that:

1. This action is transferred to the district court in Fresno. *See* Local Rule 3-120(f).
2. The Clerk of Court shall assign a new case number.

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3. All future filings shall bear the new case number and shall be filed at:

United States District Court  
Eastern District of California  
2500 Tulare Street  
Fresno, CA 93721

DATED: November 5, 2009.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE