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

WINDY LYNN CLICK,

Petitioner,

No. CIV S-09-2159 KJM P

vs.

MATTHEW CATE, et al.,

Respondents.

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. In her application, petitioner challenges the execution of her sentence. She is confined in Madera County which lies within the jurisdiction of the Fresno division of this court. When a prisoner challenges the execution of his sentence, the preferable venue is the court with jurisdiction over the place where the prisoner is confined. See Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989).

Pursuant to Local Rule 3-120(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 court. Therefore, this action will be transferred to the Fresno Division of the court.

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Good cause appearing, IT IS HEREBY ORDERED that:

1. This action is transferred to the United States District Court for the Eastern District of California sitting in Fresno; and

2. All future filings shall reference the new Fresno case number assigned and shall be filed at:

United States District Court  
Eastern District of California  
1130 "O" Street  
Fresno, CA 93721

DATED: August 13, 2009.



U.S. MAGISTRATE JUDGE

l/kly  
cllc2159.104