

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

PABLO R. LANDIN,

Petitioner, No. 2:10-cv-0606 KJN H

VS.

RICHARD B. IVES, Warden,

Respondent. ORDER

Petitioner, a federal prisoner proceeding without counsel, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner has paid the filing fee.

Petitioner challenges a conviction entered in the United States District Court for the District of Nebraska. Because petitioner challenges his conviction, his application must be construed as an application for writ of habeas corpus under 28 U.S.C. § 2255. See Porter v. Adams, 244 F.3d 1006 (9th Cir. 2001). Section 2255 applications must be heard in the district where the conviction and sentence were entered. 28 U.S.C. § 2255(a). Therefore, the court will order that this action be transferred to the District of Nebraska.

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Accordingly, IT IS HEREBY ORDERED that this action be transferred to the U.S. District Court for the District of Nebraska.

DATED: April 28, 2010

Kendall J. Newman
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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