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

10 JOHN CHARLES DOMINGUEZ,

11 Petitioner,

No. CIV S-11-1804 DAD P

12 vs.

13 STATE OF CALIFORNIA,

14 Respondent.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of
17 habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma
18 pauperis. In his application, petitioner challenges a judgment of conviction entered in the
19 Stanislaus County Superior Court. Stanislaus County is part of the Fresno Division of the United
20 States District Court for the Eastern District of California. See Local Rule 120(d).

21 Pursuant to Local Rule 120(f), a civil action which has not been commenced in
22 the proper division of a court may, on the court's own motion, be transferred to the proper
23 division of the court. Therefore, this action will be transferred to the Fresno Division of the
24 court. This court will not rule on petitioner's request to proceed in forma pauperis.

25 On August 22, 2011, petitioner filed a motion seeking relief from the court's July
26 26, 2011 order. Due to a docketing error, the wrong petition was filed in this case. The error has

1 been corrected. Therefore, the court will grant petitioner's motion and the court's order requiring
2 petitioner to file an amended petition will be vacated.

3 Good cause appearing, IT IS HEREBY ORDERED that:

4 1. Petitioner's August 22, 2011 motion for relief from the court's July 26, 2011
5 order (Doc. No. 6) is granted;

6 2. The court's order, filed on July 26, 2011, requiring petitioner to file an
7 amended petition for a writ of habeas corpus is vacated;

8 3. This court has not ruled on petitioner's request to proceed in forma pauperis;

9 4 This action is transferred to the United States District Court for the Eastern
10 District of California sitting in Fresno; and

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

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

16 DATED: September 2, 2011.

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18 _____
19 DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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