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

MAURICE MUHAMMAD,

1:12-cv-01927-MJS (HC)

Petitioner,

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF CALIFORNIA

v.

RALPH M. DIAZ, Warden,

Respondent.

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a habeas corpus action pursuant to 28 U.S.C. § 2254. Petitioner is currently incarcerated at California Substance Abuse Treatment Facility in Corcoran, California.

Venue for a habeas action is proper in either the district of confinement or the district of conviction. 28 U.S.C. § 2241(d). The district court for the district wherein such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination. Id.

Petitioner is challenging various constitutional violations relating to his conviction from Sacramento County. Sacramento County is located in the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, the petition

1 should have been filed in the Sacramento Division. Local Rule 120(d).

2 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the
3 proper court may, on the court's own motion, be transferred to the proper court. Therefore,
4 this action will be transferred to the Sacramento Division.

5 Petitioner filed a motion to proceed in forma pauperis. (See ECF No. 2.) The Court
6 has not ruled on the pending motion.

7 Good cause appearing, IT IS HEREBY ORDERED that:

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

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

12 United States District Court
13 Eastern District of California
501 "I" Street, Suite 4-200
14 Sacramento, CA 95814

15 IT IS SO ORDERED.

16 Dated: January 23, 2013

17 1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE