UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

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| DANIEL K. CHESTANG,<br>Plaintiff,<br>v.<br>N. TATUM,<br>Defendant. | No. 2:13-cv-2154-EFB P<br><br>ORDER |

Daniel K. Chestang is a state prisoner proceeding without counsel. On October 13, 2013, Mr. Chestang mailed to this court, a "Petition for Order from Relie[f] from Provisions of [California] Government Code 945.4," directed to the Sacramento County Superior Court. ECF No. 1. Mr. Chestang has not properly commenced a civil action in this court, *see* Fed. R. Civ. P. 3, and it appears that he mailed his state court petition to this court by mistake.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to return to Mr. Chestang his state court petition (ECF No. 1) and to close this case.

DATED: October 24, 2013.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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