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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANA LECHABRIER,
Petitioner,
v.
ANDRE MATEVOUSIAN,
Respondent.

No. 2:14-cv-01624 GEB AC P

ORDER

Petitioner is a federal prisoner proceeding pro se and in forma pauperis in this habeas corpus action pursuant to 28 U.S.C. § 2241. On October 1, 2014, petitioner was given an extension of her time to show cause why the court should not recharacterize her § 2241 petition as a § 2255 motion. ECF No. 28. On October 9, 2014, petitioner responded to the order stating that “petitioner’s understanding is that Eastern District Court will re-categorize 28 USC 2241 as 28 USC 2255 and proceed forthwith to consider petitioner’s 28 USC 2255.” ECF No. 32. In light of petitioner’s consent, this court will construe her § 2241 petition as a § 2255 motion and order that the docket be corrected to so reflect. The Clerk of the Court will be directed to file the petition (ECF No. 1) in Case No. 08-cr-0427-MCE-EFB-5, and to update the docket in this case to recharacterize the petition as a § 2255 motion.

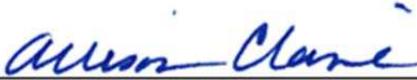
Accordingly, IT IS HEREBY ORDERED that:

- 1. Petitioner’s § 2241 petition (ECF No. 1) is recharacterized as a § 2255 motion.

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2. The Clerk of the Court is directed to file the § 2255 motion (ECF No. 1) in United States v. LeChabrier, #2:08-cr-00427 MCE EFB, and to reassign this case and update the docket to reflect that it is the companion § 2255 civil case to United States v. LeChabrier, #2:08-cr-00427 MCE EFB.

DATED: February 23, 2015



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE