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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DeWAYNE THOMPSON,
Petitioner,
v.
J. MACOMBER, Warden,
Respondent.

1:14-cv-01162 MJS (HC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Petitioner, a state prisoner proceeding pro se, has filed a habeas corpus action pursuant to 28 U.S.C. § 2254.

It is preferable for petitions challenging a conviction or sentence to be heard in the district of conviction while petitions challenging the manner in which the sentence is being executed be heard in the district of confinement. Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). In this case, Petitioner is challenging the manner in which the sentence is being executed. Namely, he is challenging a disciplinary proceeding that occurred while incarcerated in Corcoran, California. Corcoran is located in the Fresno Division of the Eastern District of California. However, prior to filing his federal petition for writ of habeas corpus, Petitioner was been transferred to California State Prison, Sacramento in Represa, California. Represa is located in the Sacramento Division of the

1 Eastern District of California. Accordingly, the Sacramento Division is the district of
2 confinement. Therefore, the petition should have been filed in the Sacramento Division.

3 Pursuant to Local Rule 120(f), a civil action which has not been commenced in
4 the proper court may, on the court's own motion, be transferred to the proper court.
5 Therefore, this action will be transferred to the Sacramento Division. Good cause
6 appearing, IT IS HEREBY ORDERED that:

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

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

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

15 IT IS SO ORDERED.

16 Dated: July 28, 2014

17 /s/ Michael J. Seng
18 UNITED STATES MAGISTRATE JUDGE
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