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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDDIE MILLS,

 Petitioner,

 v.

ANDRE MATAVOUSIAN,

 Respondent.

No. 2:18-cv-0256 KJN P

ORDER

Petitioner, a federal prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. In his application, petitioner challenges a policy of classification for law library usage at Atwater U.S. Penitentiary, in Merced County. Because petitioner challenges a condition of confinement, rather than the execution of his sentence, the undersigned construes this action as a Bivens action. See Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 402 U.S. 388 (1971); see also Sanders v. Matevousian, 2017 WL 6209380 (E.D. Cal. 2017) (discussing differences between a habeas petition brought pursuant to 28 U.S.C. § 2241 and a Bivens action).

The alleged violations took place in Merced County, which is part of the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 120(d).

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper division of a court may, on the court’s own motion, be transferred to the proper division of the

1 court. Therefore, this action will be transferred to the Fresno Division of the court.

2 Good cause appearing, IT IS HEREBY ORDERED that:

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

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

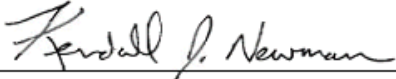
7 United States District Court
8 Eastern District of California
9 2500 Tulare Street
10 Fresno, CA 93721

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12 Dated: February 14, 2018

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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