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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONACIANO RENTERIA,

Petitioner,

v.

WARDEN, FCI Herlong,

Respondent.

No. 2:22-cv-01376-CKD P

ORDER

Petitioner is a federal inmate who filed a new habeas corpus petition pursuant to 28 U.S.C. § 2241 through counsel requesting the court to order the Bureau of Prisons to comply with the First Step Act and award petitioner credits that he has earned. ECF No. 33. The habeas petition was accompanied by the requisite \$5.00 filing fee.

A review of the docket indicates that counsel erroneously filed this new habeas petition on the docket of his prior 2241 case. Therefore, the court will strike the newly filed § 2241 application from the docket of this case and direct the Clerk of Court to open it as a new habeas corpus action. In the interests of judicial economy, the Clerk shall assign the new habeas corpus action to the undersigned magistrate judge. Once the new case is opened, the court will proceed to screen the pending § 2241 petition pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner’s habeas corpus application (ECF No. 33) is stricken from the docket of this case.
2. The Clerk of Court is directed to open the § 2241 petition as a new habeas corpus action and to apply the \$5 filing fee that was submitted with the petition to the new case.
3. The Clerk of Court is further directed to assign the new habeas corpus action to the undersigned magistrate judge in the interest of judicial economy.

Dated: March 18, 2024

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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