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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

RAMON DE LEON-TORRES,  
  
vs.  
  
J.L. NORWOOD,  
  
Petitioner,  
  
Respondent.

CASE NO. 04-CR-2898 W  
07-CV-2181 W

**ORDER TRANSFERRING  
CASE TO THE CALENDAR OF  
THE HON. LARRY A. BURNS**

**[28 U.S.C. § 2255]**

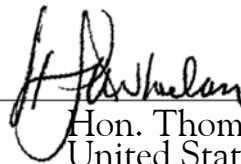
On October 24, 2007, Petitioner, a federal prisoner proceeding *pro se*, filed a Petition for Writ of Habeas Corpus, ostensibly under 28 U.S.C. §2241. The Petition was filed in the United States District Court for the Central District of California.

On November 6, 2007, the Honorable Virginia A. Phillips issued an order construing the matter as a petition under 28 U.S.C. § 2255 because Petitioner is challenging the legality of his conviction in the Southern District of California, Criminal Case No. 04cr2898, the Hon. Larry A. Burns presiding. (Doc. No. 1, p.4 of 30.) The order, therefore, also transferred the case to this district.

1 A section 2255 petition must be filed in the sentencing court. 28 U.S.C. § 2255;  
2 Loretsen v. Hood, 223 F.3d 950, 953 (9th Cir. 2001) (“Generally, motions to contest  
3 the legality of a sentence must be filed under § 2255 in the sentencing court. . . .”)  
4 Because Petitioner is challenging his sentence in Criminal Case No. 04cr2898-LAB (see  
5 Doc. No. 1, p.13 of 30), the case is hereby **TRANSFERRED** to the Hon. Larry A.  
6 Burns.

7 **IT IS SO ORDERED.**

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10 DATED: December 6, 2007

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14 Hon. Thomas J. Whelan  
15 United States District Judge  
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