

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**



**NOTICE OF PROPOSED
CHANGE TO LOCAL BANKRUPTCY RULES**

In accordance with Federal Rule of Bankruptcy Procedure 9029, the Court proposes to revise Local Bankruptcy Rule 1002-1, Intra-district Venue.

If enacted, this change would shift venue from the Modesto Division to the Sacramento Division for all petitions and related proceedings emanating from San Joaquin County.

A copy of the proposed revised local bankruptcy rule is attached to this notice.

Public comments on the proposed revision are invited. Comments should be directed to the Court, care of Richard G. Heltzel, Clerk of Court, U.S. Bankruptcy Court, 501 I Street, Suite 3-100, Sacramento, CA 95814, or by e-mail to LBRcomments@caeb.uscourts.gov, no later than August 16, 2004.

PROPOSED CHANGE TO LOCAL BANKRUPTCY RULE 1002-1

Intra-district Venue *

Petitions for relief under Title 11, United States Code; shall be filed in one of the three divisions of the Eastern District as determined by the following:

(a) Fresno Division. Petitions from the Counties of Fresno, Inyo, Kern, Kings, Madera, Mariposa, Merced, and Tulare, shall be filed with the Office of the Clerk, United States Bankruptcy Court, 2656 Federal Building, 1130 O Street, Fresno, CA 93721.

(b) Modesto Division. Petitions from the Counties of Calaveras, Stanislaus, **and** Tuolumne, ~~and all Postal Zip Codes within San Joaquin County except those listed in (c), below,~~ if presented by U.S. mail, shall be addressed to the Office of the Clerk, United States Bankruptcy Court, P.O. Box 5276, Modesto, CA 95352, or, if delivered to the court in person or by private parcel delivery service, shall be filed with the Office of the Clerk at 1130 12th Street, Suite C, Modesto, CA 95354.

(c) Sacramento Division. Petitions from the Counties of Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, **San Joaquin**, Shasta, Sierra, Siskiyou, Solano, Sutter, Tehama, Trinity, Yolo, and Yuba, ~~and the Postal Zip Codes of 95220, 95227, 95234, 95237, 95240, 95241, 95242, 95253, 95258, and 95686 within San Joaquin County,~~ shall be filed with the Office of the Clerk, United States Bankruptcy Court, 501 I Street, Suite 3-200, Sacramento, CA 95814-2322.

(d) Transfer of Incorrectly Filed Petitions. If the debtor's address on a petition indicates that it should be filed in a division other than the division to which it is presented for filing, the Clerk shall nevertheless accept it, and any other pleadings presented with the petition, for filing on behalf of the proper division. The Clerk shall obtain and place the proper division's case number on the petition and accompanying pleadings and transmit them to the proper division.

(e) Request for Different Venue. If the debtor believes that venue should be in a division other than the division designated for the debtor's address, the debtor may file a motion to transfer the case to another division. The Clerk shall promptly present the motion to any available judge.

* Highlighting indicates proposed new text; strikeout indicates deleted text.