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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARY D. BEARDEN and SONNY SAVOY,

1:07-CV-0959 OWW NEW (DLB) (PC)

Plaintiffs,

vs.

M.C.S.P. CHIEF MEDICAL OFFICER,
et al.,

ORDER TRANSFERRING CASE

Defendants.

Plaintiffs, Gary D. Bearden and Sonny Savoy (“plaintiffs”), state prisoners proceeding pro se, have filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff Bearden has filed a motion to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

In the complaint, plaintiffs allege violations of their civil rights by defendants. The alleged violations took place in Amador County which is part of the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, the complaint should have been filed in the Sacramento Division.

Pursuant to Local Rule 3-120(b), a civil action which has not been commenced in the proper court may, on the court’s own motion, be transferred to the proper court. Therefore, this action will be

1 transferred to the Sacramento Division. This court will not rule on plaintiff Bearden's motion to proceed
2 in forma pauperis.

3 Good cause appearing, IT IS HEREBY ORDERED that:

- 4 1. This court has not ruled on plaintiff Bearden's request to proceed in forma pauperis;
- 5 2. This action is transferred to the United States District Court for the Eastern District of
6 California sitting in Sacramento; and
- 7 3. All future filings shall refer to the new Sacramento case number assigned and shall be
8 filed at:

9
10 United States District Court
11 Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

12 IT IS SO ORDERED.

13 Dated: July 6, 2007

/s/ Dennis L. Beck
14 UNITED STATES MAGISTRATE JUDGE

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