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

STEVEN OLSON,

1:07-cv-01809-LJO-SMS (PC)

Plaintiff,

ORDER TRANSFERRING CASE TO THE
CENTRAL DISTRICT OF CALIFORNIA

vs.

STATE OF CALIFORNIA, et al.,

Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983.

The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants reside in the same state, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

Although unnamed defendants, employees at North Kern State Prison in Delano, are found in this district, the majority of the defendants reside in Riverside County in the Central District of California. Furthermore, the claim arose in Riverside County and no facts are alleged in the complaint against defendants residing in this district. It is clear that the center of gravity of this case

1 is in the Central District, and that any relationship with this division is minimal. Therefore,
2 plaintiff's claim should have been filed in the United States District Court for the Central District of
3 California. In the interest of justice, a federal court may transfer a complaint filed in the wrong
4 district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932
5 (D.C. Cir. 1974).

6 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States
7 District Court for the Central District of California.

8 IT IS SO ORDERED.

9 **Dated:** December 18, 2007

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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