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

JAMES THOMAS TOMALA,

Plaintiff,

No. CIV S-09-2479 EFB P

vs.

TROY DAVIS, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. He requests leave to proceed *in forma pauperis*.

Plaintiff alleges a violation of his civil rights in Tuolumne County, California. Tuolumne is in the Fresno Division of this court and the action should have been commenced there. *See* Local Rule 3-120(d). The court has not yet ruled on plaintiff’s request to proceed *in forma pauperis*.

Accordingly, it is hereby orderd that:

1. This action is transferred to the Fresno Division.
2. The Clerk of Court shall assign a new case number.

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3. All future filings shall bear the new case number and shall be filed at:

United States District Court
Eastern District of California
2500 Tulare Street
Fresno, CA 93721

DATED: September 10, 2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE