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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CONNIE ARNOLD,

Plaintiff,

v.

MARRIOTT INTERNATIONAL, INC.  
dba FAIRFIELD INN MARRIOTT-  
VISALIA; W2005/FARGO HOTELS  
(POOL C) REALTY L.P., and  
DOES 1 through 35, inclusive,

Defendants.

NO. 2:09-cv-01962-MCE-EFB

**ORDER**

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The Complaint in this matter is brought on behalf of Plaintiff Connie Arnold, a physically disabled person who requires use of a wheelchair for mobility. Plaintiff alleges that a hotel facility owned or operated by Defendants in Tulare County, California, failed to provide access consistent with the Americans with Disabilities Act Accessibility Guidelines ("ADAAG"), as well as various provisions of state law. Plaintiff premises venue on the fact that Plaintiff's resulting accessibility difficulties arise from real property and related facilities located in the County of Tulare. (Compl., ¶ 3).

1 Tulare County is part of the Fresno Division of the United  
2 States Court for the Eastern District of California. See Local  
3 Rule 3-120(b). This action was originally brought by Plaintiff  
4 in Tulare County. On July 16, 2009, Defendants removed the  
5 matter to the Sacramento Division of this court.

6 Pursuant to Local Rule 3-120(f), any civil action which has  
7 not been commenced in the proper court may, on the court's own  
8 motion, be transferred to the proper court. The instant case was  
9 improperly removed to Sacramento, rather than Fresno. Therefore  
10 this action will be transferred to the Fresno Division of the  
11 court.

12 IT IS SO ORDERED.

13 Dated: September 15, 2009

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16 MORRISON C. ENGLAND, JR.  
17 UNITED STATES DISTRICT JUDGE  
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