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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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12 JOSEPH S. DURAN III,

1:10-cv-00998-DLB (PC)

13 Plaintiff,

ORDER TRANSFERRING CASE TO THE  
SACRAMENTO DIVISION OF THE EASTERN  
DISTRICT OF CALIFORNIA

14 vs.

15 LESLIE M. CALDWELL,

16 Defendants.  
17 \_\_\_\_\_/

18 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42  
19 U.S.C. § 1983, together with a request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

20 In his complaint, plaintiff alleges violations of his civil rights by defendants. The alleged  
21 violations took place in Solano County, which is part of the Sacramento Division of the United  
22 States District Court for the Eastern District of California. Therefore, the complaint should have  
23 been filed in the Sacramento Division.

24 Pursuant to Local Rule 120(b), a civil action which has not been commenced in the proper  
25 court may, on the court's own motion, be transferred to the proper court. Therefore, this action will  
26 be transferred to the Sacramento Division. This court will not rule on plaintiff's request to proceed in  
27 forma pauperis.

28 Good cause appearing, IT IS HEREBY ORDERED that:

1. This action is transferred to the United States District Court for the Eastern District of California sitting in Sacramento; and

2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at:

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

3. This court has not ruled on plaintiff's request to proceed in forma pauperis.

IT IS SO ORDERED.

**Dated: June 9, 2010**

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