

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

10 FLOYD McKNIGHT, 1:10-cv-01046-GSA (PC)  
11 Plaintiff, ORDER TRANSFERRING CASE TO THE  
12 vs. SACRAMENTO DIVISION OF THE EASTERN  
13 SALINAS, et al., DISTRICT OF CALIFORNIA  
14 Defendants.

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

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

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

26 Good cause appearing, IT IS HEREBY ORDERED that:

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

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

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

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

## 7 IT IS SO ORDERED.

Dated: June 11, 2010

/s/ **Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE