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4 IN THE UNITED STATES DISTRICT COURT
5 FOR THE EASTERN DISTRICT OF CALIFORNIA
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7 PATRICK JACKSON,

1:12-cv-01919-SKO (PC)

8 Plaintiff,

ORDER TRANSFERRING CASE TO THE
NORTHERN DISTRICT OF CALIFORNIA

9 vs.

10 DONALD C. POMPAN, et al.,

11 Defendants.
12 _____/

13 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42
14 U.S.C. § 1983. The federal venue statute requires that a civil action, other than one based on
15 diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all
16 defendants reside in the same state, (2) a judicial district in which a substantial part of the events or
17 omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of
18 the action is situated, or (3) a judicial district in which any defendant may be found, if there is no
19 district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

20 Given that the events arose in Monterey County and no defendant resides in this district,
21 Plaintiff’s complaint should have been filed in the United States District Court for the Northern
22 District of California. See Costlow v. Weeks, 790 F.2d 1486, 1488 (9th Cir. 1986) (court may raise
23 defective venue sua sponte). Accordingly, this action is HEREBY ORDERED TRANSFERRED to
24 the United States District Court for the Northern District of California.

25 IT IS SO ORDERED.

26 **Dated: November 27, 2012**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE