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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HSBC BANK USA, et al.,

Plaintiffs,

v.

RANDALL J. RENNER, et al.,

Defendants.

) Case No.: 1:13-cv-00450-LJO-SKO

) **ORDER TO TRANSFER CASE TO THE**
) **SACRAMENTO DIVISION OF THE**
) **EASTERN DISTRICT OF CALIFORNIA**

On March 28, 2013, Defendant Randall J. Renner ("Defendant") filed a Notice of Removal, removing an unlawful detainer action from the Amador County Superior Court for claims related to Defendant's alleged residence at real property located at 16294 Rossbridge Road, Jackson, California 95642, which is located in Amador County. (See Doc. 1, pp. 6-9.)

Title 28 U.S.C. Section 1391 pertains to venue in general and states in pertinent part that "[a] civil action may be brought in . . . judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated." 28 U.S.C. § 1391(b)(2).

Here, the claims concern real property located in Amador County, California. Pursuant to the Local Rules of the United States District Court, Eastern District of California, Rule 120(d), "[a]ll civil and criminal actions and proceedings of every nature and kind cognizable" arising in Amador County "shall be commenced in the United States District Court sitting in Sacramento, California."

1 Thus, Defendant should have removed this action to the Sacramento Division of the United States
2 District Court, Eastern District of California, not the Fresno Division.

3 Local Rule 120(f) provides that a civil action that has not been commenced in the proper
4 division of the Court may, on the Court's own motion, be transferred to the proper division of the
5 Court. Therefore, this action will be transferred to the Sacramento Division of the Court.¹

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. This action is transferred to the United States District Court for the Eastern District
8 of California in Sacramento;
- 9 2. The Clerk of the Court shall assign a new case number; and
- 10 3. All future filings shall bear the new case number and shall be filed at:

11 United States District Court
12 Eastern District of California
13 501 I Street
14 Sacramento, California, 95814

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16 IT IS SO ORDERED.

17 **Dated: March 28, 2013**

18 /s/ Sheila K. Oberto
19 UNITED STATES MAGISTRATE JUDGE

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27 ¹ The Court takes no position on whether the removal was proper or whether subject matter jurisdiction lies in
28 a federal court. As such, the Court also takes no action with respect to Defendant's motion to proceed in forma pauperis.