

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALEJANDRO MADRID,

 Plaintiff,

 v.

DEPARTMENT OF CORRECTIONS,

 Defendant.

No. 2:13-cv-2190 JAM DAD P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed an action alleging civil rights violations under 42 U.S.C. § 1983. The alleged violations took place primarily in Fresno County and Tuolumne County, which are parts of the Fresno Division of the United States District Court for the Eastern District of California.¹ See Local Rule 120(d).

¹ The complaint alleges prison officials have exhibited an ongoing indifference to severe pain in plaintiff's shoulder since March 14, 2008, while plaintiff was an inmate at the San Joaquin County Jail. (Complaint (Doc. No. 1) at 2.) However, plaintiff has not named anyone associated with the San Joaquin County Jail as a defendant in this action. Rather, he has sued only the California Department of Corrections and Rehabilitation (CDCR), representing that he was taken into CDCR custody on November 24, 2010. (Id.) The complaint does not say to which CDCR facility plaintiff was initially assigned in November 2010. In his complaint plaintiff does allege he received inadequate medical care at Pleasant Valley State Prison, which is in Fresno County, and that he was transferred to that facility in April 2011. (Id. at 3.) The complaint also alleges that plaintiff's pain has continued at least until the day he filed this action in October 2013, at which time he was assigned to the Sierra Conservation Center (SCC), which is in Tuolumne County. (Id.) As of the date of this order, the court's docket reflects plaintiff is still incarcerated at SCC.

1 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
2 division of a court may, on the court's own motion, be transferred to the proper division of the
3 court. Therefore, this action will be transferred to the Fresno Division of the court. In light of
4 1996 amendments to 28 U.S.C. § 1915, this court will not rule on plaintiff's request to proceed in
5 forma pauperis.

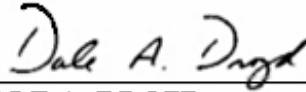
6 Good cause appearing, IT IS HEREBY ORDERED that:

7 1. This action is transferred to the United States District Court for the Eastern District of
8 California sitting in Fresno.

9 2. All future filings shall reference the new Fresno case number assigned and shall be
10 filed at:

11 United States District Court
12 Eastern District of California
2500 Tulare Street
Fresno, CA 93721

13 Dated: April 10, 2014

14 

15 _____
DALE A. DROZD
16 UNITED STATES MAGISTRATE JUDGE

17 hm
18 madr2190.22
19
20
21
22
23
24
25
26
27
28