UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

O'DEAN M. GRANT, Plaintiff, v. U.S. GOVERNMENT, Defendant.	No. 2:14-cv-2408-JAM-KJN PS ORDER

On October 14, 2014, plaintiff O'Dean M. Grant, proceeding without counsel, filed this action alleging various constitutional and other violations by the United States Government. (ECF No. 1.) Plaintiff also requested leave to proceed *in forma pauperis*. (ECF No. 2.) For the reasons discussed below, the court concludes that the case was erroneously filed in the Sacramento division of the Eastern District of California, and therefore transfers the action to the Fresno division.

The court's Local Rules provide that "[a]ll civil and criminal actions and proceedings of every nature and kind cognizable in the United States District Court for the Eastern District of California arising in Calaveras, Fresno, Inyo, Kern, Kings, Madera, Mariposa, Merced, Stanislaus, Tulare, and Tuolomne counties shall be commenced in the United States District Court sitting in Fresno, California…." E.D. Cal. L.R. 120(d). "Whenever in any action the Court finds upon its own motion, motion of any party, or stipulation that the action has not been

commenced in the proper court in accordance with this Rule, or for other good cause, the Court may transfer the action to another venue within the District." E.D. Cal. L.R. 120(f).

In this case, plaintiff resides in Bakersfield, California, which is located in Kern County and falls in the Fresno division of this district. There is no indication in the complaint that the actions alleged to have been committed by the United States somehow occurred in the Sacramento division. Instead, it appears that the action arises from plaintiff's interactions with the United States government in Kern County in the Fresno division of this district, and that plaintiff, as a *pro se* litigant, merely inadvertently filed the case in the Sacramento division.

Accordingly, IT IS HEREBY ORDERED that:

1. The action, including the pending motion to proceed *in forma pauperis*, is TRANSFERRED to the Fresno division of this district pursuant to Local Rule 120(f).
2. Any dates before the undersigned are vacated.

IT IS SO ORDERED.

Dated: October 16, 2014

KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE