2 3 4 5 UNITED STATES DISTRICT COURT 6 EASTERN DISTRICT OF CALIFORNIA 7 8 9 VIRGIL DOUGLAS RANDALL, Case No.: 1:17-cv-00589 BAM (PC) 10 Plaintiff. ORDER TRANSFERRING CASE TO THE 11 v. SACRAMENTO DIVISION OF THE EASTERN DISTRICT OF CALIFORNIA 12 SACRAMENTO STATE PRISON -FOLSOM. 13 Defendant. 14 15 16 Plaintiff Virgil Douglas Randall is a state prisoner proceeding pro se in this civil rights 17 action pursuant to 42 U.S.C. § 1983. On April 27, 2017, he filed a complaint, (ECF No. 1), together with a request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915, (ECF No. 2.) 18 19 In his complaint, Plaintiff alleges violations of his civil rights by prison official 20 defendants while he housed at California State Prison - Folsom. The alleged violations took 21 place in Sacramento County, which is part of the Sacramento Division of the United States 22 District Court for the Eastern District of California. Therefore, the complaint should have been 23 filed in the Sacramento Division.¹ 24 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper 25 court may, on the court's own motion, be transferred to the proper court. Therefore, this action 26 The Court notes that certain pages of Plaintiff's complaint are addressed to the attention of United States Magistrate Judge Deborah Barnes. Plaintiff currently has a pending matter presided over by Judge 27 Barnes in the Sacramento Division, Case No. 2:15-cv-02120-DB (PC). The judge presiding over the new

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case when this matter is transferred may wish to consider whether these actions are related or duplicative.

will be transferred to the Sacramento Division. This court will not rule on Plaintiff's request to proceed in forma pauperis. Good cause appearing, IT IS HEREBY ORDERED that: 1. This action is transferred to the United States District Court for the Eastern District of California sitting in Sacramento; and 2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at: **United States District Court** Eastern District of California 501 "I" Street, Suite 4-200 Sacramento, CA 95814 3. This court has not ruled on plaintiff's request to proceed in forma pauperis. IT IS SO ORDERED. /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE Dated: May 3, 2017