

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY A. SHARP, et al.,
Plaintiffs,
v.
CLARK KELSO,
Defendant.

1:17-cv-00791-AWI-BAM (PC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Plaintiffs Anthony A. Sharp, Talin Hartley Piccione, Rene Lavell Coleman, and Carlton Cordell Barra (“Plaintiffs”) are state prisoners proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On June 12, 2017, Plaintiffs commenced the instant action, which they seek to bring as a class action. (ECF No. 1.) Plaintiff Sharp has also filed a motion to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 2.)

In the complaint, Plaintiffs allege that violations of their civil rights took place in Fresno County, Kern County, and Amanda [sic] County. (ECF No. 1, p. 1.) However, Plaintiffs allege violations committed by employees of California Correctional Health Care Services, located in Elk Grove, California. Thus, the events took place in Sacramento County, which is part of the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, the complaint should have been filed in the Sacramento Division.

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1 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
2 court may, on the court's own motion, be transferred to the proper court. Therefore, this action
3 will be transferred to the Sacramento Division. This Court will not rule on Plaintiff Sharp's
4 request to proceed in forma pauperis.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. This action is transferred to the United States District Court for the Eastern District of
7 California sitting in Sacramento; and
8 2. All future filings shall refer to the new Sacramento case number assigned and shall be
9 filed at:

10 United States District Court
11 Eastern District of California
12 501 "I" Street, Suite 4-200
Sacramento, CA 95814

13 3. This Court has not ruled on Plaintiff Sharp's request to proceed in forma pauperis.

14 IT IS SO ORDERED.

15 Dated: July 24, 2017

16 /s/ *Barbara A. McAuliffe*
17 UNITED STATES MAGISTRATE JUDGE

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