

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 JERRY BOWMAN MUHAMED,

12 Plaintiff,

13 v.

14 CDCR MEDICAL ECT MENTAL  
15 HEALTH, et al.,

16 Defendants.  
17

1:17-cv-00948-BAM (PC)

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

18 Plaintiff Jerry Bowman Muhamed, a.k.a. Abdullaah Muhamed Najim Salaam, is  
19 proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed a  
20 complaint in this action on May 26, 2017 (ECF No. 1), together with a request to proceed in  
21 forma pauperis pursuant to 28 U.S.C. § 1915, (ECF No. 2), and a motion requesting the  
22 appointment of counsel, (ECF No. 3). Plaintiff initiated his action in the United States District  
23 Court for the Southern District of California.

24 On August 9, 2017, this action was transferred to the United States District Court for the  
25 Eastern District of California for lack of venue. (ECF No. 4.) Review of Plaintiff's complaint  
26 shows that he alleges lack of medical care and property deprivation where he is currently housed,  
27 at High Desert State Prison, and names defendants employed at that institution. Thus, the alleged  
28 violations took place in Lassen County, which is part of the Sacramento Division of the United

1 States District Court for the Eastern District of California. Therefore, the complaint should have  
2 been filed in the Sacramento Division.

3 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper  
4 court may, on the court's own motion, be transferred to the proper court. Thus, this action will be  
5 transferred to the Sacramento Division. This court will not rule on Plaintiff's pending request to  
6 proceed in forma pauperis or request for the appointment of counsel.

7 Good cause appearing, IT IS HEREBY ORDERED that:

8 1. This action is transferred to the United States District Court for the Eastern District of  
9 California sitting in Sacramento; and

10 2. All future filings shall refer to the new Sacramento case number assigned and shall be  
11 filed at:

12 United States District Court  
13 Eastern District of California  
14 501 "I" Street, Suite 4-200  
Sacramento, CA 95814

15 3. This court has not ruled on Plaintiff's request to proceed in forma pauperis or request  
16 for the appointment of counsel.

17 IT IS SO ORDERED.  
18

19 Dated: August 28, 2017

20 /s/ Barbara A. McAuliffe  
21 UNITED STATES MAGISTRATE JUDGE  
22  
23  
24  
25  
26  
27  
28