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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO CRUZ,
Plaintiff,
v.
C/O M. GONZALEZ,
Defendant.

No. 2:17-cv-2547-MCE-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. He commenced this action by filing a complaint in the Fresno Division of this court. ECF No. 1. Shortly thereafter, the case was transferred to the Sacramento Division on the grounds that the alleged violations of plaintiff’s civil rights by “defendants,” had taken place in Lassen County.¹ ECF No. 2.

The complaint, however, names a single defendant. Defendant Gonzalez is a correctional officer at Kern Valley State Prison, which falls within the Fresno Division of the court. *Id.* at 2. Plaintiff asserts three claims against her: (1) that she sexually harassed him from May 10, 2016 through July 29, 2016; (2) that she retaliated against him because of his rejection of her sexual advances by having plaintiff transferred to High Desert State Prison and arranging for him to be

¹ Plaintiff responded to a question on the form prisoner complaint asking that he identify the “Institution/city where violation occurred,” by writing “High Desert State Prison Facility - C upper yard.” *Id.* at 1. The High Desert State Prison is in Lassen County, which falls within the Sacramento Division of the court. As noted below, the case involves a single defendant whose acts allegedly occurred at Kern Valley State Prison, not High Desert.

1 assaulted upon his arrival; and (3) that shortly after his arrival at High Desert State Prison, an
2 inmate stabbed him pursuant to Gonzalez's order. *Id.* at 3-5. Although the alleged stabbing
3 occurred in Lassen County at High Desert State Prison, defendant Gonzalez's alleged violations
4 of plaintiff's civil rights arose in Kern County and most of the alleged events occurred in Kern
5 County. For the convenience of the defendant, her attorneys, and any witnesses, particularly in
6 the event this case proceeds to trial, this case should be litigated in the Fresno Division of the
7 court.

8 Accordingly, IT IS HEREBY ORDERED that for the convenience of the parties and
9 witnesses and in the interests of justice, this case will be returned to the Fresno Division of this
10 court, as case number 1:17-cv-01548-MJS. *See* 28 U.S.C. § 1404. All future filings shall bear
11 the Fresno case number and shall be filed at:

12
13 United States District Court
14 Eastern District of California
15 2500 Tulare Street
16 Fresno, CA 93721

17 DATED: January 31, 2018.

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EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE