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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KARL FRANTZ,

Plaintiff,

v.

MOHYDDIN, *et al.*,

Defendants.

Case No. 1:20-cv-01550-NONE-BAM (PC)

ORDER VACATING FINDINGS AND
RECOMMENDATIONS

(ECF No. 11)

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

Plaintiff Karl Frantz (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On December 11, 2020, the Court screened Plaintiff’s first amended complaint and issued findings and recommendations regarding dismissal of certain claims. (ECF No. 11.) Plaintiff was directed to file objections within fourteen (14) days of service. (Id.) Plaintiff filed objections on December 23, 2020. (ECF No. 12.)

In his objections, Plaintiff notes an error in the findings and recommendations regarding the location of the events at issue in his first amended complaint. Plaintiff states that he was at “‘C.M.H.F.’ California Medical Hospital in Stockton, California not at S.A.T.F.” (Id. at 3.) Based on this information, it appears that Plaintiff alleges violations of his civil rights that took place in San Joaquin 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

1 filed in the Sacramento Division.

2 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
3 court may, on the court's own motion, be transferred to the proper court. Therefore, this action
4 will be transferred to the Sacramento Division. The Court finds it appropriate to vacate the
5 pending findings and recommendations.

6 Accordingly, IT IS HEREBY ORDERED as follows:

- 7 1. The findings and recommendations issued on December 11, 2020, (ECF No. 11), are
8 VACATED;
- 9 2. This action is transferred to the United States District Court for the Eastern District of
10 California sitting in Sacramento; and
- 11 3. All future filings shall refer to the new Sacramento case number assigned and shall be
12 filed at:

13 United States District Court
14 Eastern District of California
15 501 "I" Street, Suite 4-200
16 Sacramento, CA 95814

17 IT IS SO ORDERED.

18 Dated: December 30, 2020

19 /s/ Barbara A. McAuliffe
20 UNITED STATES MAGISTRATE JUDGE
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