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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHAUN DARNELL GARLAND,

Plaintiff,

No. CIV S-06-0400 FCD DAD P

vs.

A.K. SKRIBNER, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights complaint seeking relief pursuant to 42 U.S.C. § 1983.<sup>1</sup> In the complaint received in the Sacramento Division of this court on February 27, 2006, plaintiff alleges violations of his rights by more than a dozen defendants. The alleged violations arose at California State Prison - Corcoran, which is located in Kern County.

Kern County is part of the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 3-120(d). A civil action that has not been commenced in the proper division of this court may, on the court's own motion, be transferred to the proper division of the court. Local Rule 3-120(f).

<sup>1</sup> Plaintiff has not paid the required filing fee of \$250.00 or submitted an application to proceed in forma pauperis.

1 The court's records reflect that the same plaintiff filed an action against the same  
2 defendants in the Fresno Division of this court on February 22, 2006. See Garland v. Skribner, et  
3 al., case No. CIV F-06- 0198 OWW LJO PC. The voluminous complaint in each case  
4 commences with an identical three-page form complaint that is signed but not dated. Page 62 of  
5 the 169-page Fresno complaint and page 60 of the 227-page Sacramento complaint are identical  
6 verifications dated February 15, 2006.

7 This action will be transferred to the Fresno Division of the court because the  
8 complaint received in the Sacramento Division on February 27, 2006, was submitted to the  
9 wrong division of the court. Plaintiff is advised, however, that this action may be dismissed as  
10 duplicative of case No. Civ F-06-0198 OWW LJO PC.

11 Good cause appearing, IT IS HEREBY ORDERED that:

12 1. This action is transferred to the United States District Court for the Eastern  
13 District of California sitting in Fresno; and

14 2. All future filings shall reference the new Fresno case number to be assigned  
15 and shall be filed at:

16 United States District Court  
17 Eastern District of California  
18 2500 Tulare Street  
19 Fresno, CA 93721

20 DATED: March 3, 2006.

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23 DALE A. DROZD  
24 UNITED STATES MAGISTRATE JUDGE

25 DAD:13:bb  
26 garl0400.22fn