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

ERNEST MILLER,
Plaintiff,

1:06-CV-00436 OWW LJO P

vs.

HIGH DESERT STATE PRISON,
et al.,
Defendants.

ORDER TRANSFERRING CASE

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has not submitted an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

In his complaint, plaintiff alleges violations of his civil rights by defendants. The alleged violations took place in Lassen 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.

Pursuant to Local Rule 3-120(b), a civil action which has not been commenced in the proper court may, on the court's own motion, be transferred to the proper court. Therefore, this action will be transferred to the Sacramento Division.

1 Good cause appearing, IT IS HEREBY ORDERED that:

2 This action is transferred to the United States district Court for the Eastern district of California
3 sitting in Sacramento; and

4 3. All future filings shall refer to the new Sacramento case number assigned and shall be filed
5 at:

6
7 United States District Court
8 Eastern District of California
9 501 "I" Street, Suite 4-200
10 Sacramento, CA 95814.
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12

13 IT IS SO ORDERED.

14 **Dated:** April 28, 2006
i0d3h8

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE

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