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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JUDITH LOURENE SILVERS,)
)
 Plaintiff,)
)
 v.)
)
 CCPOA BENEFIT TRUST HEALTH)
 AND WELFARE PLAN,)
)
 Defendant.)
 _____)

CIV-F-07-0781 AWI DLB

**ORDER RE: INTRADISTRICT
TRANSFER TO SACRAMENTO**

On May 25, 2007, CCPOA Benefit Trust Health and Welfare Plan removed the above entitled action to this Court on the basis of diversity. A case is to be removed to the district *and* division that embraces the location were the action is pending. 28 U.S.C. §1441(a); 28 U.S.C. §1446(a). Judith Lourene Silvers filed this action originally in the Superior Court of Shasta California. Under the local rules of the Eastern District,

All civil and criminal actions and proceedings of every nature and kind cognizable by the United States District Court for the Eastern District of California arising in Calaveras, Fresno, Inyo, Kern, Kings, Madera, Mariposa, Merced, Stanislaus, Tulare and Tuolumne counties shall be commenced in the United States District Court sitting in Fresno, California, and in Bakersfield, Yosemite National Park or other designated places within those counties as the Court shall designate when appropriate for Magistrate Judge criminal proceedings. All civil and criminal actions and legal proceedings of every nature and kind cognizable in the United States District Court for the Eastern District of California arising in Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou,

1 Solano, Sutter, Tehama, Trinity, Yolo and Yuba counties shall be commenced in
2 Sacramento, California, and in Redding or other designated places within those counties
as the Court shall designate when appropriate for Magistrate Judge criminal proceedings.

3 Local Rule 3-120(d), emphasis added. Local Rule 3-120(f) states: “Whenever in any action the
4 Court finds upon its own motion, motion of any party, or stipulation that an action has not been
5 commenced in the proper Court in accordance with this Rule, or for other good cause, the Court
6 may transfer the same to another venue within the District.” Since Fresno is not the proper
7 division within the Eastern District of California for this case, the Court will transfer this case to
8 the Sacramento Division. See Local Rule 3-120.

9 Accordingly, IT IS HEREBY ORDERED that this case is forthwith transferred to the
10 Sacramento Division of this District.

11
12 IT IS SO ORDERED.

13 Dated: January 11, 2009

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE