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E-FILED - 1/30/09

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

RUSTY LUGO,)	No. C 09-0144 RMW (PR)
)	
Plaintiff,)	ORDER OF TRANSFER
)	
vs.)	
)	(Docket No. 2)
SERGEANT WILLIAMS and OFFICER)	
MALUIA,)	
)	
Defendants.)	
_____)	

Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against the California Department of Corrections and Rehabilitation employees, Sergeant Williams and Officer Maluia, in Vacaville. The acts complained of occurred in Vacaville and the defendant is located at California State Prison, Sacramento, both of which lie within the venue of the Eastern District of California.

Therefore, venue properly lies in the Eastern District. See 28 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1406(a). The clerk shall terminate all pending motions and transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.
DATED: 1/30/09


RONALD M. WHYTE
United States District Judge