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

JAMES BOYD,

Plaintiff,

No. CIV S-09-0854 EFB P

vs.

HAMILTON,

Defendant.

ORDER

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Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983.

A civil action, other than one based on diversity jurisdiction, must be brought in “(1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

Here, most defendants are located and the claim arose at Red Onion State Prison in Pound, Virginia, which is in the Western District of Virginia. 28 U.S.C. § 127(b). Therefore, in the interest of justice, this action is transferred to the United States District Court for the Western

1 District of Virginia. *See* 28 U.S.C. § 1404(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir.  
2 1974).

3 So ordered.

4 DATED: April 13, 2009.



EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE

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