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

VICENTE MIRANDA OCADIO,

No. CIV S-10-2597-CMK

Plaintiff,

vs.

ORDER

U.S. DEPARTMENT OF JUSTICE,  
et al.,

Defendants.

\_\_\_\_\_ /

Plaintiff, a federal prisoner proceeding pro se, brings this civil rights action. For cases such as this, which are based on federal question jurisdiction, the federal venue statute requires that the action be brought only 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, it appears that the claim(s) arose at the Elkton Federal Correctional Institution located in Columbiana County, Ohio, which is within the boundaries of the United States District Court for

1 the Northern District of Ohio. Therefore, the court finds that this action most appropriately  
2 proceeds in that district. In the interest of justice, the court will transfer this case. See 28 U.S.C.  
3 § 1406(a).

4           Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the  
5 United States District Court for the Northern District of Ohio.

6  
7 DATED: September 30, 2010

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9 **CRAIG M. KELLISON**  
10 UNITED STATES MAGISTRATE JUDGE