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

TYRRALL FARROW CANNON,

No. CIV S-11-0243-KJM-CMK-P

Plaintiff,

vs.

ORDER

MATTHEW CATE, et al.,

Defendants.

_____ /

Plaintiff, a prisoner proceeding pro se, brings this apparent civil rights action pursuant to 42 U.S.C. § 1983.¹ 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

¹ The action proceeds on plaintiff’s amended complaint (Doc. 11) filed on March 3, 2011. The amended complaint was filed in response to the court’s February 3, 2011, order directing plaintiff to clarify the nature of this action which, based on plaintiff’s initial pleading appeared to challenge the duration of his confinement rather than the conditions of his confinement. From all appearances, the amended complaint relates to the conditions of plaintiff’s confinement.

1 which any defendant may be found, if there is no district in which the action may otherwise be
2 brought.” 28 U.S.C. § 1391(b). Here, the claims appear to have arose in San Luis Obispo
3 County, which is within the boundaries of the United States District Court for the Central District
4 of California. Therefore, the court finds that this action most appropriately proceeds in that
5 district. In the interest of justice, the court will transfer this case. See 28 U.S.C. § 1406(a).

6 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the
7 United States District Court for the Central District of California.

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9 DATED: June 22, 2011

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11 **CRAIG M. KELLISON**
12 UNITED STATES MAGISTRATE JUDGE
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