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

CLINTON McGHEE,

Plaintiff,

No. 2:11-cv-0739 KJN P

vs.

FEDERAL BUREAU OF PRISONS, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff, a federal prisoner proceeding without counsel, has filed a civil rights action pursuant to 42 U.S.C. § 1983, together with a request to proceed in forma pauperis. In his complaint, plaintiff alleges violations of his civil rights by defendants. Plaintiff claims he was assaulted on June 26, 2009, at the United States Penitentiary in Atwater, California, located in Merced County, and alleges defendants were deliberately indifferent to his serious medical needs. Plaintiff was subsequently transferred to the United States Penitentiary in Pollock, Louisiana, and also raises deliberate indifference claims as to defendants located there. None of the defendants are located in, and none of the allegations occurred in, the Sacramento Division of the Eastern District of California.

Merced County is part of the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 120(d). Pursuant to Local Rule 120(f), a

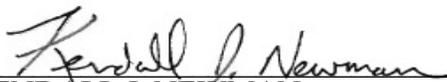
1 civil action which has not been commenced in the proper division of a court may, on the court's  
2 own motion, be transferred to the proper division of the court. Therefore, this action will be  
3 transferred to the Fresno Division of the court. In light of 1996 amendments to 28 U.S.C.  
4 § 1915, this court will not rule on plaintiff's request to proceed in forma pauperis.

5 Good cause appearing, IT IS HEREBY ORDERED that:

- 6 1. This court has not ruled on plaintiff's request to proceed in forma pauperis;
- 7 2. This action is transferred to the United States District Court for the Eastern  
8 District of California sitting in Fresno; and
- 9 3. All future filings shall reference the new Fresno case number assigned and  
10 shall be filed at:

11 United States District Court  
12 Eastern District of California  
13 2500 Tulare Street  
14 Fresno, CA 93721

15 DATED: March 23, 2011

16   
17 KENDALL J. NEWMAN  
18 UNITED STATES MAGISTRATE JUDGE

19 mcgh0739.22