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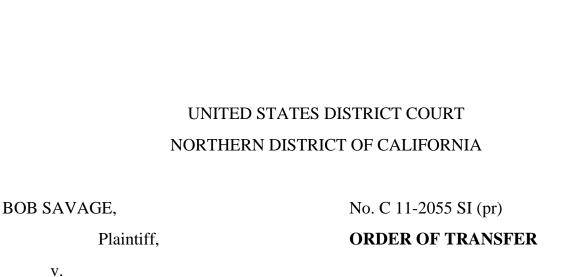
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K. DICKSINON; et al.,

Defendants.



Bob Savage filed this civil rights action under 42 U.S.C. § 1983, complaining of events or omissions that occurred at the California Medical Facility in Vacaville. Vacaville is in Solano County, within the venue of the Eastern District of California. Defendants are alleged to work either at that prison or at the CDCR's headquarters in Sacramento, and all apparently reside in the Eastern District. No defendant is alleged to reside in the Northern District. Venue therefore would be proper in the Eastern District and not in this one. See 28 U.S.C. § 1391(b).

20 Savage alleges that this court has jurisdiction under the Armstrong Remedial Plan, 21 see Armstrong v. Davis, C 94-2307 CW. The existence of a class action in this district does not 22 make this district the proper venue for plaintiff's claims. Indeed, if his equitable and injunctive 23 relief requests are for matters actually covered by Armstrong, his recourse is not a civil action 24 but instead is to seek help from class counsel in Armstrong "Individual members of the class 25 and other prisoners may assert any equitable or declaratory claims they have, but they must do 26 so by urging further actions through the class representative and attorney, including contempt 27 proceedings, or by intervention in the class action." Gillespie v. Crawford, 858 F.2d 1101, 1103 28 (5th Cir. 1988) (en banc). If Savage wants to complain about a perceived failure to comply with

some order in Armstrong, he may contact the plaintiff's class counsel at this address: Donald Specter, Esq., Prison Law Office, 1917 Fifth Street, Berkeley, CA 94710. Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter. The court has not ruled on the in forma pauperis application. IT IS SO ORDERED. Dated: June 19, 2011 United States District Judge

For the Northern District of California **United States District Court**