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

ROBERT LEWIS,

Plaintiff,

No. 2:11-cv-02217 KJM KJN PS

v.

CITY OF FRESNO, et al.,

Defendants.

ORDER

On August 22, 2011, plaintiff filed a complaint and an application to proceed without preparing fees or costs, otherwise referred to as an application to proceed in forma pauperis.¹ Plaintiff’s complaint alleges that an officer of the City of Fresno’s police department used excessive force on plaintiff, and further alleges that the “location of the incident was a Chevron Gas Station located at 4811 Butler Ave, Fresno, CA.” (Compl. at 3-4.)

Upon review of the complaint, the undersigned concludes that plaintiff should have commenced this action in the Fresno Division of this court pursuant to this court’s Local Rule 120(d). See E. Dist. Local Rule 120(d) (“All civil and criminal actions and proceedings of every nature and kind cognizable in the United States District Court for the Eastern District of

¹ This case proceeds before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

1 California arising in . . . Fresno . . . [County] shall be commenced in the United States District
2 Court sitting in Fresno, California . . .”). Accordingly, the undersigned transfers this case to this
3 court’s Fresno Division pursuant to Local Rule 120(f). See E. Dist. Local Rule 120(f)
4 (“Whenever in any action the Court finds upon its own motion, motion of any party, or
5 stipulation that the action has not been commenced in the proper court in accordance with this
6 Rule, or for other good cause, the Court may transfer the action to another venue within the
7 District.”).

8 For the foregoing reasons, IT IS HEREBY ORDERED that:

9 1. This action is transferred to the Fresno Division of the Eastern District of
10 California.


11 2. The Clerk of Court shall assign a new case number.

12 3. All future filings shall bear the new case number and shall be filed at:

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

16 IT IS SO ORDERED.

17 DATED: August 23, 2011

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20 KENDALL J. NEWMAN
21 UNITED STATES MAGISTRATE JUDGE
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