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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CINDI DEARMON,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

) Case No.: 1:12-cv-00345-AWI-SKO
)
)
) **ORDER TO TRANSFER CASE TO THE**
) **SACRAMENTO DIVISION OF THE**
) **EASTERN DISTRICT OF CALIFORNIA**

Plaintiff seeks judicial review of a final decision of the Commissioner of Social Security denying applications for Disability Income Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act. Under the venue statute governing this action, Plaintiff may obtain review of any final decision of the Commissioner made after a hearing to which the plaintiff was a party by commencing a civil action in the federal district court for the judicial district in which the claimant resides. 42 U.S.C. § 405(g).

On December 19, 2012, the Court issued an order that Plaintiff state her place of residence and, to the extent that Plaintiff's residence was outside the Fresno Division of the U.S. District Court for the Eastern District of California ("Eastern District"), to show cause why the case should not be transferred to the Sacramento Division of the Eastern District. Plaintiff's declaration reflects that she resides in Jackson, California, which is in Amador County. (Doc. 23-1.) That county is part of the Sacramento Division of the Eastern District. See Local Rule 120(d).

1 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
2 division of a court may, on the court's own motion, be transferred to the proper division of the court.
3 Therefore, this action will be transferred to the Sacramento Division of the Court. This Court retains
4 jurisdiction following transfer to issue a collateral order regarding sanctions against Plaintiff's
5 counsel, Sengthiene Bosavanh. (See Docs. 24, 25.) Cf. *United Energy Owners v. United Energy*
6 *Mgmt.*, 837 F.2d 356, 358 (9th Cir. 1988) (district court retained jurisdiction to impose sanctions
7 while plaintiffs' appeal from judgment of dismissal was pending).

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. This action is transferred to the United States District Court for the Eastern District
10 of California sitting in Sacramento;
- 11 2. The Clerk of the Court shall assign a new case number; and
- 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
501 I Street
15 Sacramento, California, 95814

16 IT IS SO ORDERED.

17 **Dated: February 6, 2013**

/s/ Sheila K. Oberto
18 UNITED STATES MAGISTRATE JUDGE
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