

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

BOBBY HARKER,

Plaintiff,

v.

STACY ZIGLER;TIM VIRGA; GREG
ANDERSON; LORI RODRIGUEZ;
RHONDA CARTER; and JOHN DOES,
1-10,

Defendants.

No. 13-cv-968 LJO-GSA

**ORDER TRANSFERRING ACTION
TO SACRAMENTO DIVISION**

This case was transferred to this District from the United States District Court for the Central District of California on June 25, 2013. (Doc. 35). A review of the complaint reveals that the events giving rise to this action took place at the Correctional Treatment Center at the California State Prison –Sacramento. This facility is located in Sacramento County and lies within the jurisdictional boundaries of the Sacramento Division of the United States District Court for the Eastern District of California. *See* Local Rule 120(d).

Title 28 of the United States Code Section 1391(b) provides :

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may, except as otherwise provided by law, 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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.

Pursuant to Local Rule 120(f), a Court may transfer an action to another venue within the district when the action has not been commenced in the proper court. The court is transferring this action to the Sacramento Division of the Eastern District of California because Plaintiff has named several defendants all who reside in Sacramento County. *See* 28 U.S.C. § 1391(b)(1). Moreover, as previously noted, the actions giving rise to Plaintiff's complaint all arose in Sacramento County. *See* 28 U.S.C. § 1391(b)(2). Good cause appearing, IT IS HEREBY ORDERED that this matter is TRANSFERRED to the Sacramento Division of the United States District Court for the Eastern District of California.

IT IS SO ORDERED.

Dated: July 1, 2013

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE