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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROGER WILKERSON,
Plaintiff,
v.
J. SUTTON, et al.,
Defendants.

No. 2:13-cv-1518 TLN KJN P

ORDER

Plaintiff is a state prisoner presently housed at the Los Angeles County Jail. Plaintiff is proceeding pro se and in forma pauperis. By order filed August 27, 2014, this action was reopened, and remanded for screening of plaintiff’s amended complaint. (ECF No. 33.)

First, the court notes that plaintiff filed a motion for “appropriate settlement” on August 21, 2014. (ECF No. 32.) Plaintiff’s motion is premature. Defendants have not yet been served. Thus, plaintiff’s motion is denied without prejudice.

Second, plaintiff’s amended complaint names as defendants the following individuals: J. Suiton, K. Carpenter, and F. Feliciano, all employees at Wasco State Prison in Wasco, California, and contends that these defendants failed to transfer plaintiff away from Wasco where plaintiff was at risk of contracting Valley Fever because plaintiff suffers from a medical condition that suppresses his immunity. In light of this amendment, the Clerk of the Court is directed to list J. Suiton, K. Carpenter, and F. Feliciano as defendants herein, and to terminate the individuals

1 previously named as defendants.

2 Third, plaintiff alleges violations of his civil rights by the defendants employed at Wasco
3 State Prison. The alleged violations took place in Kern County, which is part of the Fresno
4 Division of the United States District Court for the Eastern District of California. See Local Rule
5 120(d).

6 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
7 division of a court may, on the court's own motion, be transferred to the proper division of the
8 court. Therefore, this action will be transferred to the Fresno Division of the court

9 Good cause appearing, IT IS HEREBY ORDERED that:

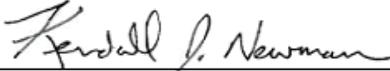
- 10 1. Plaintiff's motion (ECF No. 32) is denied without prejudice;
- 11 2. The Clerk of the Court is directed to list J. Suiton, K. Carpentor, and F. Feliciano as
12 defendants herein, and terminate the individuals previously named as defendants;
- 13 3. This action is transferred to the United States District Court for the Eastern District of
14 California sitting in Fresno; and
- 15 4. All future filings shall reference the new Fresno case number assigned and shall be

16 filed at:

17 United States District Court
18 Eastern District of California
2500 Tulare Street
Fresno, CA 93721

19 Dated: September 11, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE