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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARVIN HARRIS,  
Plaintiff,  
v.  
TIM V. VIRGA et al.,  
Defendants.

No. 2:14-cv-0975 WBS DAD P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

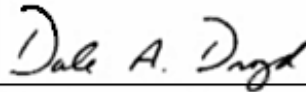
The federal venue statute provides that a civil action “may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) if there is no district in which an action may otherwise be brought as provided in this action, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

In the caption of the complaint before the court plaintiff appears to identify as the defendants the Warden of Folsom State Prison, an unidentified doctor and two property officers.

1 (Dkt. No. 1 at 1.) However, in the body of his complaint plaintiff names the defendants as the  
2 Warden of Salinas Valley State Prison and three other correctional employees at Salinas Valley.  
3 (Id. at 2.) In his complaint plaintiff identifies the institution where the alleged constitutional  
4 violation occurred as Folsom State Prison. (Id. at 1.) However, a review of the actual allegations  
5 of the complaint reveals that plaintiff is seeking to complain about missing personal property that  
6 did not accompany him when, on December 27, 2013, he was transferred from Folsom to Salinas  
7 Valley, as well as about a classification committee decision made at Salinas Valley and the  
8 conditions of his confinement at Salinas Valley. (Id. at 3-10.) As such plaintiff's primary claims  
9 arose at Salinas Valley State Prison in Monterey County. Monterey County is in the Northern  
10 District of California. Therefore, in furtherance of justice, the court will transfer this action to the  
11 United States District Court for the Northern District of California. See 28 U.S.C. § 1404(a).

12 Accordingly, IT IS HEREBY ORDERED that this action is transferred to the Northern  
13 District of California.

14 Dated: May 22, 2014

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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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