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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

ANTHONY W. HIGGINBOTHAM,
Plaintiff,

No. C 14-2937 NJV (PR)

v.

ORDER OF TRANSFER

WARDEN BRIAN DUFFY,
Defendant.

This is a civil rights case brought pro se by a state prisoner. Plaintiff alleges that he has been improperly classified at California Medical Facility which has interfered with his housing and custody status. The sole defendant in this case is the warden of California Medical Facility and that institution lies within the venue of the Eastern District of California. Venue, therefore, properly lies in that district and not in this one. See 28 U.S.C. § 1391(b).

This case is **TRANSFERRED** to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1406(a). In view of the transfer, the court will not rule upon plaintiff's request for leave to proceed in forma pauperis.

IT IS SO ORDERED.

Dated: July 17, 2014.



NANDOR J. VADAS
United States Magistrate Judge

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United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

No.1:14-CV- 2937 NJV

ANTHONY W. HIGGINBOTHAM

Plaintiff,

CERTIFICATE OF SERVICE

v.

WARDEN BRIAN DUFFY,

Defendant.

_____/

I, the undersigned, hereby certify that on July 17, 2014, I served a true and correct copy of the attached by placing said copy in a postage paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail.

Anthony W. Higginbotham
G-00021
CALIFORNIA CITY
CORRECTIONAL INSTITUTION
Inmate Mail/Parcels
P.O. BOX 3001-0001
CALIFORNIA CITY, CA 93504

/s/ Linn Van Meter
Linn Van Meter
Administrative Law Clerk to the
Honorable Nandor J. Vadas