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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 STEVEN PHILPOTT,

12 Plaintiff,

13 v.

14 AUDREY KING, et al.,

15 Defendants.
16

No. 2:14-cv-2339 KJN P

ORDER

17 Plaintiff is a civil detainee housed at Coalinga State Hospital, and is proceeding without
18 counsel. Plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983, together with a request
19 to proceed in forma pauperis. In his complaint, plaintiff alleges violations of his civil rights
20 which took place in Fresno County,¹ which is part of the Fresno Division of the United States
21 District Court for the Eastern District of California. See Local Rule 120(d).

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

25 ¹ It appears plaintiff may, in part, be attempting to challenge his civil commitment under
26 California's Sexually Violent Predators Act. However, plaintiff is informed that if he seeks
27 release from custody based on upon improper commitment, he should file a petition for writ of
28 habeas corpus under 28 U.S.C. § 2254 in the Sacramento Division of this court because he was
ordered committed by order of the Sacramento County Superior Court. Plaintiff cannot obtain his
release through the instant § 1983 action.

1 1996 amendments to 28 U.S.C. § 1915, this court will not rule on plaintiff's request to proceed in
2 forma pauperis.

3 Good cause appearing, IT IS HEREBY ORDERED that:

4 1. This court has not ruled on plaintiff's request to proceed in forma pauperis;

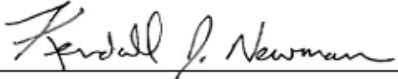
5 2. This action is transferred to the United States District Court for the Eastern District of
6 California sitting in Fresno; and

7 3. All future filings shall reference the new Fresno case number assigned and shall be
8 filed at:

9 United States District Court
10 Eastern District of California
2500 Tulare Street
Fresno, CA 93721

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12 Dated: November 12, 2014

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14 phil2339.22


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE