

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAALBERT BILLINGER,
Plaintiff,

v.

DOCTOR CHURCH,
Defendant.

Case No. 15-cv-00218-JST (PR)

ORDER OF TRANSFER

Plaintiff, a state prisoner currently incarcerated at the California Health Care Facility in Stockton, California (CHCF) filed a pro se civil rights complaint under 42 U.S.C. § 1983 complaining that CHCF staff denied him adequate medical care following his June 2014 surgery at San Pablo Hospital. Specifically, plaintiff claims he was improperly transported back to CHCF following his surgery, causing his surgical wounds to reopen.

Although San Pablo Hospital, which is in Contra Costa County, lies within this district, plaintiff alleges that the people who came to transport him from the hospital were correctional officers from CHCF. Plaintiff also states that the violation itself occurred at CHCF, and the sole defendant named, Dr. Church, is a CHCF doctor. Finally, a substantial part of the events or omissions giving rise to the claim occurred at a prison in Vacaville¹, which is in Solano County, and at CHCF, which is in San Joaquin County. Both Solano County and San Joaquin County lie within the Eastern District of California. Venue, therefore, properly lies in the Eastern District and not in this one. See 28 U.S.C. § 1391(b).

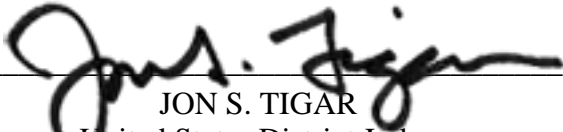
¹ Plaintiff does not identify the prison in Vacaville by name.

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Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk of the Court shall transfer the case forthwith.

IT IS SO ORDERED.

Dated: February 22, 2015



JON S. TIGAR
United States District Judge