1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 EVERTON WHITELY, 1:16-cv-00946 BAM (PC) 12 Plaintiff. ORDER TRANSFERRING CASE TO THE 13 v. SACRAMENTO DIVISION OF THE EASTERN DISTRICT OF CALIFORNIA 14 CDCR, et al., 15 Defendant. 16 17 Plaintiff Everton Whitely ("Plaintiff"), a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983, on June 23, 2016. That same date, Plaintiff submitted 18 19 a motion to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 2) 20 In his complaint, plaintiff alleges violations of his civil rights by defendants which 21 occurred at the Folsom State Prison in Folsom, California. (ECF No. 1.) Thus, the alleged 22 violations took place in Sacramento County, which is part of the Sacramento Division of the United States District Court for the Eastern District of California. Therefore, the complaint should 23 24 have been filed in the Sacramento Division. Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper 25 26 court may, on the court's own motion, be transferred to the proper court. Therefore, this action 27 will be transferred to the Sacramento Division. This court will not rule on Plaintiff's pending 28 motion to proceed in forma pauperis.

1	Good cause appearing, IT IS HEREBY ORDERED that:
2	1. This action is transferred to the United States District Court for the Eastern District of
3	California sitting in Sacramento; and
4	2. All future filings shall refer to the new Sacramento case number assigned and shall be
5	filed at:
6	United States District Court
7	Eastern District of California 501 "I" Street, Suite 4-200 Sagramento, CA 05814
8	Sacramento, CA 95814
9	3. This court has not ruled on Plaintiff's pending motion to proceed in forma pauperis
10	(ECF No. 2).
11	IT IC CO ODDEDED
12	IT IS SO ORDERED.
13	Dated: July 5, 2016 /s/ Barbara A. McAuliffe
14	UNITED STATES MAGISTRATE JUDGE
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	