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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN ROBERT DEMOS, JR.,
Plaintiff,
v.
STATE OF WASHINGTON, et al.,
Defendants.

No. 2:17-cv-0358 AC P

ORDER

Plaintiff, a Washington state prisoner¹ proceeding pro se, has filed an action in this court, together with a request to proceed in forma pauperis. Although not entirely clear, it appears that plaintiff is attempting to challenge his conditions of confinement. Therefore, this action should have been filed in the United States District Court for the Eastern District of Washington. In the interests of justice, a federal court may transfer a complaint filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).


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¹ Review of the “Inmate Search” website operated by the Washington State Department of Corrections confirms plaintiff’s incarceration in the Washington State Penitentiary, in Walla Walla. See <http://www.doc.wa.gov/information/inmate-search/>; see also Fed. R. Evid. 201 (court may take judicial notice of facts that are capable of accurate determination by sources whose accuracy cannot reasonably be questioned).

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Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States District Court for the Eastern District of Washington.

DATED: March 2, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE