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5 **UNITED STATES DISTRICT COURT**

6 EASTERN DISTRICT OF CALIFORNIA  
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9 VIRGIL DOUGLAS RANDALL, ) Case No.: 1:17-cv-00589 BAM (PC)  
10 Plaintiff, )  
11 v. ) ORDER TRANSFERRING CASE TO THE  
12 SACRAMENTO STATE PRISON – ) SACRAMENTO DIVISION OF THE  
13 FOLSOM, ) EASTERN DISTRICT OF CALIFORNIA  
14 Defendant. )  
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16 Plaintiff Virgil Douglas Randall is a state prisoner proceeding pro se in this civil rights  
17 action pursuant to 42 U.S.C. § 1983. On April 27, 2017, he filed a complaint, (ECF No. 1),  
18 together with a request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915, (ECF No. 2.)

19 In his complaint, Plaintiff alleges violations of his civil rights by prison official  
20 defendants while he housed at California State Prison - Folsom. The alleged violations took  
21 place in Sacramento County, which is part of the Sacramento Division of the United States  
22 District Court for the Eastern District of California. Therefore, the complaint should have been  
23 filed in the Sacramento Division.<sup>1</sup>

24 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper  
25 court may, on the court’s own motion, be transferred to the proper court. Therefore, this action

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27 <sup>1</sup> The Court notes that certain pages of Plaintiff’s complaint are addressed to the attention of United  
28 States Magistrate Judge Deborah Barnes. Plaintiff currently has a pending matter presided over by Judge  
Barnes in the Sacramento Division, Case No. 2:15-cv-02120-DB (PC). The judge presiding over the new  
case when this matter is transferred may wish to consider whether these actions are related or duplicative.

1 will be transferred to the Sacramento Division. This court will not rule on Plaintiff's request to  
2 proceed in forma pauperis.

3 Good cause appearing, IT IS HEREBY ORDERED that:

4 1. This action is transferred to the United States District Court for the Eastern District of  
5 California sitting in Sacramento; and

6 2. All future filings shall refer to the new Sacramento case number assigned and shall be  
7 filed at:

8 United States District Court  
9 Eastern District of California  
10 501 "I" Street, Suite 4-200  
11 Sacramento, CA 95814

12 3. This court has not ruled on plaintiff's request to proceed in forma pauperis.

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14 IT IS SO ORDERED.

15 Dated: May 3, 2017

16 /s/ Barbara A. McAuliffe  
17 UNITED STATES MAGISTRATE JUDGE  
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