

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JERRY BOWMAN MUHAMED,
Plaintiff,
v.
CDCR MEDICAL ECT MENTAL
HEALTH, et al.,
Defendants.

1:17-cv-00948-BAM (PC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Plaintiff Jerry Bowman Muhamed, a.k.a. Abdullaah Muhamed Najim Salaam, is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed a complaint in this action on May 26, 2017 (ECF No. 1), together with a request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915, (ECF No. 2), and a motion requesting the appointment of counsel, (ECF No. 3). Plaintiff initiated his action in the United States District Court for the Southern District of California.

On August 9, 2017, this action was transferred to the United States District Court for the Eastern District of California for lack of venue. (ECF No. 4.) Review of Plaintiff’s complaint shows that he alleges lack of medical care and property deprivation where he is currently housed, at High Desert State Prison, and names defendants employed at that institution. Thus, the alleged violations took place in Lassen County, which is part of the Sacramento Division of the United

1 States District Court for the Eastern District of California. Therefore, the complaint should have
2 been filed in the Sacramento Division.

3 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
4 court may, on the court's own motion, be transferred to the proper court. Thus, this action will be
5 transferred to the Sacramento Division. This court will not rule on Plaintiff's pending request to
6 proceed in forma pauperis or request for the appointment of counsel.

7 Good cause appearing, IT IS HEREBY ORDERED that:

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

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

12 United States District Court
13 Eastern District of California
14 501 "I" Street, Suite 4-200
Sacramento, CA 95814

15 3. This court has not ruled on Plaintiff's request to proceed in forma pauperis or request
16 for the appointment of counsel.

17 IT IS SO ORDERED.
18

19 Dated: August 28, 2017

/s/ Barbara A. McAuliffe
20 UNITED STATES MAGISTRATE JUDGE

21
22
23
24
25
26
27
28