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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ARCHIE ARROYO MARTINEZ,

No. C 08-4270 (pr)

Plaintiff,

**ORDER OF TRANSFER**

v.

G. HOOVER; et al.,

Defendants.

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Archie Arroyo Martinez, an inmate currently housed at Salinas Valley State Prison, filed this pro se civil rights action under 42 U.S.C. § 1983. His complaint focuses largely on events that occurred at Mule Creek State Prison, where he contends excessive force was used on him on August 22, 2006, following which he was improperly charged with possession of a weapon and received inadequate medical attention for the head injury in the use of force incident. He also claims that for over 13 years he has been diagnosed incorrectly as being diabetic and has been given unnecessary medication to treat the non-existent diabetes. He received unnecessary medications at the many prisons at which he was housed over the years, including more than ten years ago when he was housed at Salinas Valley in 1998.

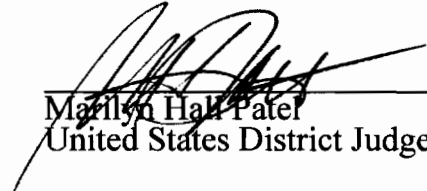
Complaint, p. 6. A substantial part of the events or omissions giving rise to the claim occurred at Mule Creek State Prison. Mule Creek is in Ione in Amador County, which is within the Eastern District of California. The vast majority of the defendants appear to reside in the Eastern District of California. Venue is proper in either district. See 28 U.S.C. § 1391(b). However, it is clear that the center of gravity of this case is in the Eastern District.

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For the convenience of the parties and witnesses, and in the interests of justice, this case is TRANSFERRED to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1404(a). In view of the transfer, the court will not rule upon plaintiff's request for leave to proceed in forma pauperis. The clerk shall transfer this matter.

IT IS SO ORDERED.

DATED: *February 27*, 2009

  
Marilyn Hall Patel  
United States District Judge