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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re ROBERT HARRIS,
Plaintiff.

No. C 08-4442 WHA (PR)


ORDER OF TRANSFER

This case was opened when plaintiff wrote to this court asking for assistance in obtaining a transfer from Pleasant Valley State Prison to another prison for medical reasons. In an effort to protect plaintiff's rights, it was treated as an attempt to open a new case. The filing was directed to the attention of Judge Sandra Brown Armstrong, but he does not say why he so addressed it, and Judge Armstrong is not presiding over any case involving Pleasant Valley State Prison, which is in the Eastern District. As a result the case was randomly assigned to the undersigned.

Construing the filing as a civil rights complaint, the acts complained of occurred at Pleasant Valley State Prison, which lies within the venue of the United States District Court for the Eastern District of California. Presumably any appropriate defendants would reside in that district as well. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). This case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a). In view of the transfer, the Court will not rule upon plaintiff's request for leave to proceed in forma pauperis.

IT IS SO ORDERED.

Dated: September 26, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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