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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 ALTON DEAN,

No C-09-1292 VRW (PR)

12 Plaintiff,

13 v

ORDER OF TRANSFER

14 CORRECTIONAL OFFICER CAVAGNARO,
15 et al,

16 Defendant(s) .
17 _____/

18 Plaintiff, a prisoner currently incarcerated in the
19 Sacramento County Jail, has filed a pro se petition for writ of
20 habeas corpus against certain correctional officers at the
21 California Substance Abuse Treatment Facility and State Prison in
22 Corcoran, California. Because plaintiff is alleging that the
23 officers violated his civil rights under 42 USC section 1983, he
24 must refile this action as a civil rights complaint, rather than a
25 petition for writ of habeas corpus.


26 Further, a substantial part of the events or omissions
27 giving rise to the claim(s) occurred, and the defendants named
28 reside, in the County of Kings, which lies within the venue of the

1 Eastern District of California. See 28 USC § 84(b). Venue
2 therefore properly lies in the Eastern District. See id § 1391(b).

3 In the interest of justice and pursuant to 28 USC section
4 1406(a) IT IS ORDERED that this action be TRANSFERRED to the United
5 States District Court for the Eastern District of California.

6 The clerk shall transfer this matter and terminate all
7 pending motions as moot.

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10 IT IS SO ORDERED.

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14 VAUGHN R WALKER
15 United States District Chief Judge
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