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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PHILLIP PAPPAS,
Plaintiff,
v.
E. JANNELL; et al.,
Defendants.

No. C 10-1235 SI (pr)
ORDER OF TRANSFER

United States District Court
For the Northern District of California

Phillip Pappas commenced this civil rights action by filing his complaint in Santa Clara County Superior Court. Defendants then removed the case to federal court because claims alleged under 42 U.S.C. § 1983 presented a federal question. Venue is proper in the district located where the state action was pending. See 28 U.S.C. § 1441(a). Nonetheless, the court may transfer the action to a different district "for the convenience of the parties and witnesses." 28 U.S.C. § 1404(a). Here, the complaint concerns events and omissions that occurred at the California State Prison - Solano in Solano County, which is within the venue of the Eastern District of California. See Complaint, pp. 6 & 9 (listing a "SOL" prefix on inmate appeal) and pp. 6-7 (identifying a defendant working at CSP - Solano Medical Department). Defendants also apparently reside in the Eastern District of California. Venue would be proper in that district and, indeed, would have been improper in this district had Pappas originally filed in federal court rather than in state court. All the defendants, most of the witnesses and likely much of the evidence will be found at the prison in Solano County. Accordingly, pursuant to 28 U.S.C.

/ / /

1 § 1404(a), and for the convenience of parties and witnesses, this action is TRANSFERRED to
2 the United States District Court for the Eastern District of California. The clerk shall transfer
3 this matter.

4 IT IS SO ORDERED.

5 Dated: May 17, 2010


SUSAN ILLSTON
United States District Judge

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