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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
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8 DIEGO A. LEGASPI,
9 Plaintiff,

No. C 11-4425 SI (pr)

ORDER OF TRANSFER

10 v.

11 MATTHEW CATE, Director of
12 Corrections; TERRI GONZALEZ, Warden of
CMC State Prison,

13 Defendants.
14 _____/

15 Diego Legaspi filed this civil rights action under 42 U.S.C. § 1983, complaining of events
16 or omissions that occurred at the California Men's Colony in San Luis Obispo County, where
17 he currently is housed. San Luis Obispo County is within the venue of the Central District of
18 California. One defendant, the prison warden in San Luis Obispo, apparently resides within the
19 venue of the Central District of California. The other defendant, the CDCR director in
20 Sacramento, apparently resides within the venue of the Eastern District of California. No
21 defendant is alleged to reside in, and none of the events or omissions giving rise to the complaint
22 occurred in, the Northern District of California. Venue therefore would be proper in the Central
23 District or Eastern District and not in this one. See 28 U.S.C. § 1391(b). The witnesses and
24 evidence likely will be found primarily in the Central District as that is the district in which the
25 events and omissions occurred and the plaintiff is incarcerated. Accordingly, in the interest of
26 justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States
27 District Court for the Central District of California.


28 The court has not ruled on the pending *in forma pauperis* application. The application

1 will be ruled upon by the transferee court.

2 The clerk shall transfer this matter forthwith.

3 IT IS SO ORDERED.

4 Dated: January 9, 2012



SUSAN ILLSTON
United States District Judge

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