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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL HICKS,
Plaintiff,

No. C 11-5794 SI (pr)

ORDER OF TRANSFER

v.

MATTHEW KATE,
Secretary of California Department
Of Corrections and Rehabilitation,
Defendant.

_____ /

United States District Court
For the Northern District of California

Michael Hicks filed this civil rights action under 42 U.S.C. § 1983, complaining of events and omissions that occurred at the California Men's Colony in San Luis Obispo, where he previously was housed. That facility is in San Luis Obispo County, within the venue of the Central District of California. The lone defendant apparently resides in the Eastern District of California, but there are no allegations of any wrongdoing by that defendant. No defendant is alleged to reside in, and none of the events or omissions giving rise to the complaint occurred in, the Northern District. Venue therefore would be proper in the Central District and not in this one. See 28 U.S.C. § 1391(b). The Central District (where the alleged wrongs occurred) is preferable to the Eastern District (where the lone defendant apparently resides) for venue because the defendant has not been linked to any claim and quite possibly will not remain as a

1 defendant. Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this
2 action is TRANSFERRED to the United States District Court for the Central District of
3 California. The clerk shall transfer this matter.

4 IT IS SO ORDERED.

5 Dated: March 20, 2012



SUSAN ILLSTON
United States District Judge

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