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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

CHRISTOPHER D. KROHE,
Plaintiff,
v.
ZANDRA K. STEINHARDT,
Defendant.

Case No. [17-cv-03297-LB](#)

ORDER OF TRANSFER

Christopher David Krohe, an inmate at Mule Creek State Prison in Amador County, filed this civil action against Zandra Steinhardt, who resides in Fresno, California. Mr. Krohe consented to proceed before a magistrate judge. (ECF No. 4.)¹

In his complaint, Mr. Krohe alleges that he sent \$41,700.00 from his inmate trust account to Ms. Steinhardt to hold until the funds were needed to hire counsel for his habeas petition, with the understanding that Ms. Steinhardt would use that money to hire counsel for Mr. Krohe when the need arose. (ECF No. 1 at 4.) He further alleges that Ms. Steinhardt told him she would hire an attorney for him but has not done so and has not spoken to him since then. (*Id.*) (Federal court

¹ Record citations refer to material in the Electronic Case File (“ECF”); pinpoint cites are to the ECF-generated page numbers at the top of the documents.

1 records show that Mr. Krohe’s federal petition for writ of habeas corpus challenging his Orange
2 County conviction for which he was sentenced to 76 years to life in prison was dismissed on
3 September 2, 2016, because it was untimely under the federal habeas statute of limitations. *See*
4 *Krohe v. Lizarraga*, C. D. Cal. Case No. 16-cv-00131-JGB-KS. The Ninth Circuit denied a
5 certificate of appealability on April 14, 2017. *See Krohe v. Lizarraga*, Ninth Cir. Case No. 16-
6 56398.)

7 The events and omissions giving rise to the complaint occurred in Fresno County or Amador
8 County, both of which are located within the venue of the Eastern District of California. The
9 defendant resides in Fresno County, which is located within the venue of the Eastern District of
10 California. No defendant is alleged to reside in, and none of the events or omissions giving rise to
11 the complaint are alleged to have occurred in, the Northern District of California. Venue is proper
12 in the Eastern District, and not in the Northern District. *See* 28 U.S.C. § 1391(b). Accordingly, in
13 the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the
14 United States District Court for the Eastern District of California. The clerk shall transfer this
15 matter. All pending motions will be decided in the Eastern District of California.

16 **IT IS SO ORDERED.**

17 Dated: June 29, 2017

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19 LAUREL BEELER
20 United States Magistrate Judge

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