

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAKEITH HENDERSON,
Plaintiff,
v.
JOEL ARNOLD, et al.,
Defendants.Case No. [21-cv-01867-JSC](#)**ORDER OF TRANSFER**

(ECF Nos. 2, 3, 7, 11)

Plaintiff, a Florida prisoner proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983.¹ Plaintiff is located at the Suwanee Correctional Institution in Live Oak, Florida. He complains about actions by federal, state, and county government officials in Jackson and Leon Counties in Florida.

When, as here, jurisdiction is not founded on diversity, venue is proper in the district in which (1) any defendant resides, if all of the defendants reside in the same state, (2) the district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). Where a case is filed in the wrong venue, the district court has the discretion either to dismiss the case or transfer it to the proper federal court “in the interest of justice.” 28 U.S.C. § 1406(a).

Plaintiff’s allegations arise out of events occurring in Jackson and Leon Counties, which lie within the venue of the United States District Court for the Northern District of Florida. *See* 28

¹ Plaintiff has consented to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c). (ECF No. 8.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

U.S.C. § 89. Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this case is TRANSFERRED to the United States District Court for the Northern District of Florida.

The Clerk of the Court shall transfer this matter forthwith. In light of this transfer, the Court defers to the Northern District of Florida for ruling on the motions for leave to proceed in forma pauperis, to show cause, and for appointment of counsel.

The Clerk shall terminate docket numbers 2, 3, 7, and 11 from this Court's docket.

IT IS SO ORDERED.

Dated: April 28, 2021


JACQUELINE SCOTT CORLEY
United States Magistrate Judge