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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CURTIS L. MARTIN,

No. C 08-04297 CW (PR)

Plaintiff,

ORDER OF TRANSFER

v.

JOHN DOE,

Defendant.

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This case was opened when Plaintiff, who is currently incarcerated at Pleasant Valley State Prison (PVSP) sent the Court a two-page hand-written document along with several attachments, including various inmate 602 forms alleging deliberate indifference to his serious medical needs. In view of all this, the Clerk of the Court concluded that Plaintiff intended to file a civil rights action under 42 U.S.C. § 1983, complaining of acts and omissions relating to his medical care at PVSP. He has been granted leave to proceed in forma pauperis.

When jurisdiction is not founded solely 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

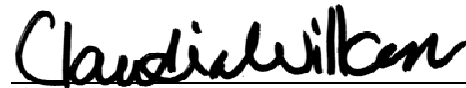
1 which any defendant may be found, if there is no district in which  
2 the action may otherwise be brought. See 28 U.S.C. § 1391(b).

3 The acts complained of occurred at the PVSP, which is located  
4 in the Eastern District of California, and it appears that  
5 Defendants reside in that district. Venue, therefore, properly  
6 lies in that district and not in this one. See id.

7 Accordingly, in the interest of justice and pursuant to 28  
8 U.S.C. § 1406(a), this action is TRANSFERRED to the United States  
9 District Court for the Eastern District of California. The Clerk  
10 of the Court shall transfer the case forthwith.

11 IT IS SO ORDERED.

12 Dated: 4/27/09



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14 CLAUDIA WILKEN  
15 UNITED STATES DISTRICT JUDGE  
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1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 IN RE: CURTIS L MARTIN,

Case Number: CV08-04297 CW

5 Plaintiff,

**CERTIFICATE OF SERVICE**

6 v.

7 IN RE: CURTIS L MARTIN et al,

8 Defendant.  
\_\_\_\_\_ /

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
10 Court, Northern District of California.

11 That on April 27, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said  
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
14 in the Clerk's office.

15 Curtis L. Martin V-36244  
16 3C 139L  
17 Pleasant Valley State Prison  
18 P.O. Box 8503  
19 Coalinga, CA 93210

20 Dated: April 27, 2009

21 Richard W. Wiekling, Clerk  
22 By: Sheilah Cahill, Deputy Clerk  
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