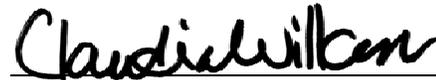


1 Accordingly, in the interest of justice and pursuant to 28
2 U.S.C. § 1406(a), this action is TRANSFERRED to the Houston
3 Division of United States District Court for the Southern District
4 of Texas. The Clerk of the Court shall transfer the case
5 forthwith.

6 Plaintiff's application for in forma pauperis status is
7 TERMINATED on this Court's docket as no longer pending in this
8 district.

9 IT IS SO ORDERED.

10 Dated: 11/24/08



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 R. WAYNE JOHNSON,
5 Plaintiff,

Case Number: CV08-04319 CW

CERTIFICATE OF SERVICE

6 v.

7 WILLLIAM B. TURNER 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 November 24, 2008, 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 R. Wayne Johnson 282756
16 9601 Spur 591-Clements
17 Amarillo, TX 79107-9606

Dated: November 24, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk