1     IN THE UNITED STATES DISTRICT COURT

2    FOR THE NORTHERN DISTRICT OF CALIFORNIA

3

4 HORACE A. BELL,       No. C 09-04477 CW (PR)

5    Plaintiff,     ORDER OF TRANSFER

6

7  v.

 SERGEANT G. HIPPO, et al.,

8    Defendants.

9 ————————————————————————/

10  Plaintiff, a state prisoner, has filed a <u>pro se</u> civil rights

11 action pursuant to 42 U.S.C. § 1983 and an application for <u>in forma</u>

12 <u>pauperis</u> status.  The acts complained of occurred at Kern Valley

13 State Prison, which is located in the Eastern District of

14 California, and it appears that Defendants reside in that district.

15 Venue, therefore, properly lies in that district and not in this

16 one.  <u>See</u> 28 U.S.C. § 1391(b).

17  Accordingly, in the interest of justice and pursuant to 28

18 U.S.C. § 1406(a), this action is TRANSFERRED to the United States

19 District Court for the Eastern District of California.  The Clerk

20 of the Court shall transfer the case forthwith.

21  Plaintiff's application for <u>in forma pauperis</u> status is

22 TERMINATED on this Court's docket as no longer pending in this

23 district.

24  IT IS SO ORDERED.

25 Dated:  10/21/2009

26         CLAUDIA WILKEN
          UNITED STATES DISTRICT JUDGE

27

28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

HORACE A BELL,

        Plaintiff,

  v.

G HIPPO et al,

        Defendant.

Case Number: CV09-04477 CW

**CERTIFICATE OF SERVICE**

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

That on October 21, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Horace A. Bell #J-42454
C4-120
Kern Valley State Prison
P.O. Box 6000
Delano,  CA 93216

Dated: October 21, 2009

        Richard W. Wieking, Clerk
        By: Clara Pierce, Deputy Clerk