

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

4 JOHN YOUNGER BONNOT,
 5 Plaintiff,

No. C 10-02440 SBA (PR)

ORDER OF TRANSFER

6 v.

7 LOS ANGELES POLICE DEPARTMENT
 8 OFFICER AMAYA,
 9 Defendant.

10
 11 Plaintiff, a state prisoner, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983
 12 and an application for in forma pauperis (IFP) status. Plaintiff complains that Defendant Amaya, an
 13 officer from the Los Angeles Police Department, violated his constitutional rights during his arrest.

14 Venue may be raised by the court sua sponte where the defendant has not yet filed a
 15 responsive pleading and the time for doing so has not run. See Costlow v. Weeks, 790 F.2d 1486,
 16 1488 (9th Cir. 1986). When jurisdiction is not founded solely on diversity, venue is proper in (1) the
 17 district in which any defendant resides, if all of the defendants reside in the same state; (2) the
 18 district in which a substantial part of the events or omissions giving rise to the claim occurred, or a
 19 substantial part of the property that is the subject of the action is situated; or (3) a judicial district in
 20 which any defendant may be found, if there is no district in which the action may otherwise be
 21 brought. See 28 U.S.C. § 1391(b). When venue is improper, the district court has the discretion to
 22 either dismiss the case or transfer it "in the interest of justice." See 28 U.S.C. § 1406(a).

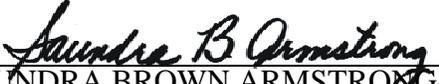
23 The claims arise out of actions taken in Los Angeles, where Defendant Amaya is located.
 24 Therefore, the Western Division of the Central District of California, and not the Northern District,
 25 is the district in which a substantial part of the events or omissions about which Plaintiff complains
 26 occurred. See 28 U.S.C. § 1391(b).

27 Accordingly, in the interest of justice, this action is TRANSFERRED to the Western
 28 Division of the United States District Court for the Central District of California. The Clerk of the

1 Court shall transfer the case forthwith. All remaining motions are TERMINATED on this Court's
2 docket as no longer pending in this district.

3 IT IS SO ORDERED.

4 DATED: 6/25/10


SAUNDRA BROWN ARMSTRONG
United States District Judge

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

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

4 JOHN YOUNGER BONNOT,

5 Plaintiff,

6 v.

7 LOS ANGELES POLICE DEPARTMENT et al,

8 Defendant.

Case Number: CV10-02440 SBA

CERTIFICATE OF SERVICE

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 June 25, 2010, 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
14 located in the Clerk's office.

15 Younger Joan Bonnot E-53863
16 North Kern State Prison
17 P.O. Box 5000
18 Delano, CA 93216

19 Dated: June 25, 2010

20 Richard W. Wiekling, Clerk
21 By: LISA R CLARK, Deputy Clerk