

United States District Court  
For the Northern District of California

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

JOHN P. SIMON,

No. C 10-04047 CW (PR)

Plaintiff,

ORDER OF TRANSFER

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION,  
et al.,

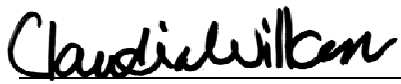
Defendants.

Plaintiff, a state prisoner, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983. The acts complained of occurred at Mule Creek State Prison, which is located in the Eastern District of California, and it appears that Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. See 28 U.S.C. § 1391(b).

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

IT IS SO ORDERED.

Dated: 9/20/2010



CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

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

4 JOHN P SIMON,

5 Plaintiff,

6 v.

7 THE DEPT OF CDCR et al,

8 Defendant.

Case Number: CV10-04047 CW

**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 September 20, 2010, I SERVED a true and correct copy(ies) of the attached, by placing  
12 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
13 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office  
14 delivery receptacle located in the Clerk's office.

15 John P. Simon  
16 C/O Goldie Muhammad, V06418  
17 P.O. Box 409040  
18 BG-104L  
19 Ione, CA 95640

20 Dated: September 20, 2010

21 Richard W. Wieking, Clerk  
22 By: Nikki Riley, Deputy Clerk  
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