

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

3 ANDREW ST. LEDGER MONAGHAN, III,

No. C 11-3278 CW

4 Plaintiff,

ORDER DENYING
MOTION FOR RETURN
OF FILING FEE AND
TRANSFERRING CASE
TO THE CENTRAL
DISTRICT OF
CALIFORNIA

5 v.

6 LARRY P. FIDDLER, ALLEN JACKSON,
7 and RICKY KYLE,

8 Defendants.

9 _____/

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11 On July 5, 2011 Plaintiff filed a complaint and an
12 application for leave to proceed in forma pauperis. However, on
13 October 5, 2011, Plaintiff paid the \$350 filing fee and served
14 Defendants. On October 19, 2011, the Court issued an order
15 granting Plaintiff's Application to Proceed In Forma Pauperis and
16 Dismissing Complaint. The Order explained that, because the
17 events which gave rise to this action occurred, and the parties
18 involved reside, in the Central District of California, venue is
19 improper in the Northern District. The Order also explained that
20 the complaint was dismissed without prejudice to re-filing with
21 the full filing fee.

22 Now Plaintiff moves to have his filing fee returned so that
23 he can re-file his complaint in the Central District of
24 California. Because Plaintiff has paid the filing fee, his case
25 may proceed. The Court construes Plaintiff's request as a motion
26 to transfer venue. The motion to transfer venue to the Central
27 District of California is granted.

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CONCLUSION

The Clerk of the Court shall transfer this case to the
Central District of California.

IT IS SO ORDERED.

Dated: 11/22/2011


CLAUDIA WILKEN
United States District Judge