

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

4 In re DAVID NAVARRO,

No. C 13-01791 YGR (PR)

5 **ORDER OF TRANSFER**  
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8 This action was opened on April 19, 2013, when the Court received from Inmate David  
9 Navarro a letter to the Honorable Thelton E. Henderson that concerned prison conditions.

10 On the same date, the Clerk of the Court notified Plaintiff in writing that his action was  
11 deficient in that he had not submitted his complaint on a proper complaint form and had not  
12 submitted an *in forma pauperis* application. The Clerk further notified him that this action would be  
13 dismissed he if did not submit a complaint on the proper form and a completed *in forma pauperis*  
14 application within twenty-eight days.

15 Further review of Plaintiff's case reveals that, in addition to failing to submit the proper  
16 documents, he has also initiated his civil action in the wrong judicial district. Plaintiff's letter states  
17 that he is currently incarcerated at the Richard J. Donovan Correctional Facility (RJDCF) in San  
18 Diego, California. He alleges that the medical staff at RJDCF have "denied [him] appropriate  
19 medical care." (Apr. 19, 2013 Letter at 1.)

20 RJDCF is located in the Southern District of California, and it appears that Defendants reside  
21 in that district. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C.  
22 § 1391(b).

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

26 If he wishes to further pursue this action, Plaintiff must complete the complaint form and *in*  
27 *forma pauperis* application required by the United States District Court for the Southern District of  
28 California and mail them to that district.

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All remaining motions (Docket No. 6) are TERMINATED on this Court's docket as no longer pending in this district.

The Clerk shall also direct an electronic version of Plaintiff's letter and this Order to Judge Henderson.

IT IS SO ORDERED.

DATED: June 24, 2013

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE