

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

4 In re CERRONE HICKS,

No. C 13-02726 SBA (PR)

5 **ORDER OF TRANSFER**
6
7 _____/

8 This action was opened on June 13, 2013, when the Court received from Inmate Cerrone
9 Hicks 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 Sierra Conservation Center (SCC) in Jamestown, California.
18 He alleges that the prison staff at SSC have treated him with "continual deliberate indifference" and
19 "racism." (June 13, 2013 Letter at 1.)

20 SCC is located in the Eastern District of California, and it appears that Defendants reside in
21 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 Eastern 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 Eastern District of
28 California and mail them to that district.

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

IT IS SO ORDERED.

DATED: 7/2/13


SAUNDRA BROWN ARMSTRONG
United States District Judge

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

4 CERRONE HICKS,

5 Plaintiff,

6 v.

7 SIERRA CONSERVATION CENTER et al,

8 Defendant.

Case Number: CV13-02726 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 July 3, 2013, 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 Cerrone Hicks R42285
16 Sierra Conservation Center State Prison
17 5150 O'Byrnes Ferry Road
18 Jamestown, CA 95327

19 Dated: July 3, 2013

20 Richard W. Wieking, Clerk
21 By: Lisa Clark, Deputy Clerk