

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

GEORGE CHANDLER, JR.,

No. C 13-02844 DMR (PR)

Plaintiff,

## ORDER OF TRANSFER

GARY SWARTHOUT, et al.,  
Defendants.

10 On June 20, 2013, Plaintiff, a state prisoner, filed a *pro se* civil rights action pursuant to 42  
11 U.S.C. § 1983.

On the same date, the Clerk of the Court notified Plaintiff in writing that his action was deficient in that he had not submitted an *in forma pauperis* application. The Clerk further notified him that this action would be dismissed if he did not submit a completed *in forma pauperis* application within twenty-eight days. In addition, on June 20, 2013, the Clerk notified Plaintiff in writing that this matter has been assigned to the undersigned Magistrate Judge.

Further review of Plaintiff's case reveals that, in addition to failing to complete an *in forma pauperis* application, he has also initiated his civil action in the wrong judicial district. The acts complained of occurred at California State Prison - Solano, 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.<sup>1</sup> The Clerk shall transfer the case forthwith.

If Plaintiff wishes to further pursue this action, he must complete the complaint form and *in forma pauperis* application required by the United States District Court for the Eastern District of

<sup>1</sup> Venue transfer is a non-dispositive matter and, thus, it falls within the scope of the jurisdiction of the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A).

1 California and mail them to that district.

2 All remaining motions are TERMINATED on this Court's docket as no longer pending in  
3 this district.

4 IT IS SO ORDERED.

5 Dated: June 28, 2013



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7 DONNA M. RYU  
8 United States Magistrate Judge  
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