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**United States District Court**  
For the Northern District of California

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

JOHN E. WEST,	)	No. C 09-00098 JW (PR)
	)	
Plaintiff,	)	ORDER OF TRANSFER
	)	
vs.	)	
	)	
R. DANIELS, et al.,	)	
	)	
Defendants.	)	(Docket No. 3)
_____	)	

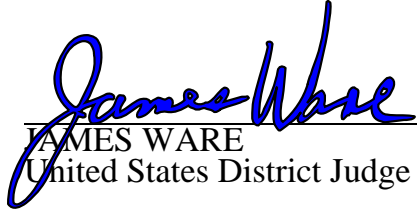
Plaintiff, a prisoner at High Desert State Prison in Susanville, California, has filed a pro se civil rights complaint under 42 U.S.C. § 1983. A substantial part of the events or omissions giving rise to the claim(s) occurred, and the defendants named reside, in the County of Lassen, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Venue therefore properly lies in the Eastern District. See id. § 1391(b).

Accordingly, IT IS ORDERED that this action be TRANSFERRED to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b). In light of this transfer, this Court will defer to the Eastern District for a ruling on the motion for leave to proceed in forma pauperis. (Docket No. 3.)

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The clerk shall transfer this matter and terminate all pending motions as moot.

DATED: May 19, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JOHN E. WEST,  
Plaintiff,

Case Number: CV09-00098 JW

**CERTIFICATE OF SERVICE**

v.

R. DANIELS, et al.,  
Defendants.

\_\_\_\_\_/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 5/28/2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

John E. West E-28520  
High Desert State Prison  
475-750 Rice Canyon Rd  
Susanville, Ca 96130

Dated: 5/28/2009

Richard W. Wieking, Clerk  
/s/ By: Elizabeth Garcia, Deputy Clerk