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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

DESHAWN MYRICK,)	No. C 10-00350 JW (PR)
Plaintiff,)	ORDER OF TRANSFER
vs.)	
WARDEN IVES, et al.,)	
Defendants.)	
_____)	(Docket Nos. 3 & 4)

Plaintiff, a prisoner at the Federal Correctional Institution in Coleman, Florida, has filed a “1331 Motion of Civil Suit (Jury Trial),” alleging claims against federal prison officials during the course of his transfer from the Federal Correctional Institution in Herlong to the Transfer Center in Oklahoma City. 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

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Eastern District for a ruling on the motion for leave to proceed in forma pauperis,
(Docket No. 3), and motion for summary judgment, (Docket No. 4).

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

DATED: April 27, 2010



JAMES WARE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DESHAWN MYRICK,
Plaintiff,

Case Number: CV10-00350 JW

CERTIFICATE OF SERVICE

v.

WARDEN IVES, 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 4/29/2010, 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.

Deshawn Myrick 07-951-030
COLEMAN LOW
FEDERAL CORRECTIONAL INSTITUTION
Inmate Mail/Parcels
P.O. BOX 1031
COLEMAN, FL 33521

Dated: 4/29/2010

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