

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS WEBSTER,

Plaintiff,

v.

RHONDA LOVE, et al.,

Defendants.

Case No. 18-01580 EJD (PR)

ORDER OF TRANSFER

Plaintiff, a state prisoner, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against several officials at various state facilities. Plaintiff alleges various deficiencies in the conditions of confinement that occurred during his stay at the “Haskins House,” a “statewide transitional re-entry program,” which he claims arise to deliberate indifference to serious medical needs in violation of the Eighth Amendment. (Compl. at 2-3.) Because the responsible Defendants reside in and the acts complained of occurred in Fresno County, which lies within the venue of the Eastern District of California, see 28 U.S.C. § 84(b), venue properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). For the foregoing reasons, the Court orders this matter be **TRANSFERRED** to the Eastern District of California. See 28 U.S.C. § 1406(a).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Plaintiff also names Defendants at the Napa State Hospital (“NHS”) but makes no specific allegations against them in the complaint. (Compl. at 1-2.) The Court notes that Plaintiff has a separate action pending against one of the Defendants named in this action based on identical allegations. See Webster v. Samulson, Case No. 18-01969 EJD (PR). Accordingly, the claims against Defendant Melody Samulson are DISMISSED as duplicative. If Plaintiff wishes to pursue any other claims against other NHS officials or employees, he must file them in a separate action.

The Clerk shall terminate all pending motions and transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.

Dated: 11/28/2018



EDWARD J. DAVILA
United States District Judge