

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

In re SALVADOR MENA,

No. C 12-03356 YGR (PR)

ORDER OF TRANSFER

This action was opened on June 28, 2012, when the Court received from Inmate Salvador Mena a letter to the Honorable Thelton E. Henderson that concerned prison conditions. On that date, the Clerk of the Court notified Mr. Mena in writing that his action was deficient in that he had not submitted his complaint on a proper complaint form and had not submitted an *in forma pauperis* application. The Court further notified him that this action would be dismissed he if did not submit a complaint on the proper form and a completed *in forma pauperis* application within thirty days.

Further review of Mr. Mena's case reveals that, in addition to failing to submit the proper documents, Mr. Mena has also initiated his civil action in the wrong judicial district. Mr. Mena's letter states that he is currently incarcerated at Mule Creek State Prison (MCSP) in Ione, California. He alleges that the medical staff at MCSP have "denied adequate and effective pain relief and management for two (2) known fatal diseases, i.e., hepatitis C virus (HCV) and prostate cancer." (June 28, 2012 Letter at 1.)

MCSP 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. The Clerk of the Court shall transfer the case forthwith.

1 If he wishes to further pursue this action, Mr. Mena must complete the complaint form and *in*
2 *forma pauperis* application required by the United States District Court for the Eastern District of
3 California and mail them to that district.

4 IT IS SO ORDERED.

5 DATED: July 6, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
For the Northern District of California