

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Angela Perez Dowling v. State Prosecutors OFFFICE OF TEXAS

No. 1:26-CV-1380 (LTS), United States District Court for the Southern District of New York (March 17, 2026)

SUMMARY

The United States District Court for the Southern District of New York transferred Angela Perez Dowling’s pro se action to the United States District Court for the Southern District of Texas under 28 U.S.C. § 1406(a) because the alleged events occurred in Texas and venue was improper in New York. The court directed the clerk to transfer the case, declined to issue a summons, and certified that any appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Laura Taylor Swain
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	March 17, 2026
DOCKET	1:26-CV-1380 (LTS)
DISPOSITION	transferred
PROCEDURAL POSTURE	Pro se plaintiff filed an action in the Southern District of New York asserting claims under 42 U.S.C. § 1983 and state law. The court determined that venue was improper and transferred the action to the Southern District of Texas under 28 U.S.C. § 1406(a).
PRECEDENTIAL VALUE	Unknown
PARTIES	Angela Perez Dowling v. State Prosecutors OFFFICE OF TEXAS

TOPICS

- venue
- civil procedure
- section 1983

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether venue was proper in the Southern District of New York under 28 U.S.C. § 1391(b).
2. Whether the action should be transferred to the Southern District of Texas under 28 U.S.C. § 1406(a) because the action was filed in the wrong venue.

HOLDINGS

1. The Southern District of New York was not a proper venue because the respondent appeared to reside in Texas and the alleged events occurred in Texas, not in the Southern District of New York.
2. When an action is filed in the wrong venue, the court may transfer it under 28 U.S.C. § 1406(a) to a district where it could have been brought if transfer is in the interest of justice; transfer to the Southern District of Texas was warranted here.

KEY QUOTATIONS

“Under 28 U.S.C. § 1406(a), if a plaintiff files a case in the wrong venue, the Court “shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.””

“This court is not a proper venue for this action, and all of the alleged events occurred in the Southern District of Texas.”

FACTUAL BACKGROUND

Dowling alleged claims arising from events that occurred in Houston, Cypress, Springfield, and Spring, Texas. The alleged events were located within Harris and Jim Wells Counties, which the court determined are within the Southern District of Texas. The respondent appeared to be an office of the State of Texas.

PROCEDURAL HISTORY

Angela Perez Dowling filed the action in the Southern District of New York against the State Prosecutors Office of Texas. The court concluded that the alleged events occurred in Texas and that the Southern District of Texas was a proper venue, while the Southern District of New York was not. The court ordered transfer rather than dismissal in the interest of justice and closed the action in the transferring court.

DISPOSITION

transferred

REMAND INSTRUCTIONS

The Clerk was directed to transfer the action to the United States District Court for the Southern District of Texas. The transferee court was to determine whether Plaintiff could proceed without prepayment of fees.

CASES CITED

- *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962)

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