

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Ernest Godfrey Logan, Jr. v. Metro Transit Association

Logan v. Metro Transit Association · No. 2:25-cv-02551-DAD-SCR · Decided September 11, 2025

SUMMARY

The United States District Court for the Eastern District of California determined that venue was improper because the plaintiff, defendant, and alleged events were connected to Los Angeles in the Central District of California. Pursuant to 28 U.S.C. § 1406(a), the court transferred the action, including the pending in forma pauperis motion, to the Central District of California and ordered the Eastern District case closed.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 11, 2025
DOCKET	2:25-cv-02551-DAD-SCR
DISPOSITION	transferred
PROCEDURAL POSTURE	Plaintiff filed a pro se civil complaint and a motion to proceed in forma pauperis. Before the defendant appeared, the court sua sponte determined that venue was improper and transferred the action to the Central District of California under 28 U.S.C. § 1406(a).
STANDARD OF REVIEW	The court independently assessed venue and raised the venue issue sua sponte because the defendants had not appeared or waived a venue challenge.
PRECEDENTIAL VALUE	Unpublished federal district court order; nonprecedential.

TOPICS

- venue
- civil procedure
- remedies

PRACTICE AREAS

- civil procedure
- venue
- federal courts

QUESTIONS PRESENTED

1. Whether venue was proper in the Eastern District of California under 28 U.S.C. § 1391(b).
2. Whether the action should be transferred rather than dismissed under 28 U.S.C. § 1406(a) because it was filed in the wrong venue.

HOLDINGS

1. Venue was improper in the Eastern District of California because the defendant and bus driver were alleged to be in Los Angeles and the events giving rise to the claim appeared to have occurred in Los Angeles, so the complaint did not establish that a substantial part of the relevant events occurred in the Eastern District.
2. The action should be transferred to the Central District of California rather than dismissed because plaintiff may have accidentally filed in the wrong venue and the court could not conclude that there were no circumstances under which the complaint could state a cognizable claim.

KEY QUOTATIONS

“As the Defendants have not appeared and have not waived a challenge to venue, the Court may raise the issue sua sponte.” (at 1)

“Transfer is generally preferred over dismissal where the plaintiff made an honest mistake as to where the suit could have been brought.” (at 2)

FACTUAL BACKGROUND

Plaintiff alleged that a Metro Transit Association bus driver in Los Angeles stole his wallet. The complaint referred to Bus #40 at Crenshaw and King Boulevard in Los Angeles, and plaintiff listed a Los Angeles address. The complaint also mentioned Social Security benefits and attached a benefits letter.

PROCEDURAL HISTORY

Plaintiff filed the action in the Eastern District of California on September 5, 2025, identifying the Central District of California in the complaint caption and listing a Los Angeles address. The court concluded that the alleged defendant, bus driver, plaintiff, and events were connected to Los Angeles rather than the Eastern District. Because plaintiff may have made an honest venue mistake and the court could not conclude that amendment would be futile, it transferred the action, including the pending in forma pauperis motion, and directed the clerk to close the case.

DISPOSITION

transferred

REMAND INSTRUCTIONS

The action, including the pending motion to proceed in forma pauperis, was transferred to the United States District Court for the Central District of California. Plaintiff was instructed to direct further filings and inquiries

to that court, and the Eastern District of California clerk was directed to close the case.

CASES CITED

- Costlow v. Weeks, 790 F.2d 1486, 1488 (9th Cir. 1986)
- Gigena v. Rye, 2023 WL 7286665 (E.D. Cal. Nov. 1, 2023)
- Miller v. Hambrick, 905 F.2d 259, 262 (9th Cir. 1990)
- Wood v. Santa Barbara Chamber of Commerce, 705 F.2d 1515, 1523 (9th Cir. 1983)
- Lemon v. Kramer, 270 F. Supp. 3d 125, 140 (D.D.C. 2017)

OPINION

Ernest Godfrey Logan, Jr. v. Metro Transit Association

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 ERNEST GODFREY LOGAN, Jr., No. 2:25-cv-02551-DAD-SCR

12 Plaintiff, 13 v. ORDER

14 METRO TRANSIT ASSOCIATION,

15 Defendant. 16

17 Plaintiff, proceeding pro se, filed a complaint and motion to proceed in forma pauperis on
18 September 5, 2025. ECF Nos. 1 & 2. This matter is before the undersigned pursuant to Local
19 Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). Venue does not lie in this District. For the
following

20 reasons, the Court will transfer this action to the United States District Court for the Central 21
District of California. 22 The caption of the complaint states “Central District of California.” Id. at
1. Plaintiff lists 23 his address as Los Angeles, California. Id. Plaintiff names as a defendant the
Metro Transit 24 Association (MTA) of Los Angeles. Id. at 1. Plaintiff complains of the actions of
an MTA bus 25 driver. Id. at 2. The factual allegations are unclear, but Plaintiff appears to allege
that the bus 26 driver stole his wallet. Id. at 2. Plaintiff also mentions Social Security benefits and
attaches a 27 benefit letter to his complaint. Id. at 7. 28 The federal venue statute provides that a
civil action “may be brought in (1) a judicial 1 district in which any defendant resides, if all
defendants are residents of the State in which the 2 district is located; (2) a judicial district in
which a substantial part of the events or omissions 3 giving rise to the claim occurred, or a
substantial part of property that is the subject of the action 4 is situated; or (3) if there is no district
in which an action may otherwise be brought as provided in 5 this section, any judicial district in
which any defendant is subject to the court’s personal 6 jurisdiction with respect to such action.”
28 U.S.C. § 1391(b). 7 In this case, Defendant MTA and the bus driver are all alleged to be in Los

Angeles, and 8 Plaintiff also has a Los Angeles address. Further, it appears that the events or omissions giving 9 rise to the claim occurred on a bus in Los Angeles. Plaintiff refers to being on Bus #40 at 10 Crenshaw and King Blvd. ECF No. 1 at 2. The complaint's allegations do not establish that a 11 substantial part of the events or omissions giving rise to the claim occurred in this district. 28 U.S.C. § 1391(b)(2). Venue does not properly lie in this district. See 28 U.S.C. § 1391(b). As 13 the Defendants have not appeared and have not waived a challenge to venue, the Court may raise 14 the issue sua sponte. See *Costlow v. Weeks*, 790 F.2d 1486, 1488 (9th Cir. 1986). Where an 15 action is filed in the wrong venue, the district court "shall dismiss, or if it be in the interest of 16 justice, transfer such case" to a district where it could have been brought. *Id.* citing 28 U.S.C. § 17 1406(a). 18 Transfer is generally preferred over dismissal where the plaintiff made an honest mistake as to 19 where the suit could have been brought. *Gigena v. Rye*, 2023 WL 7286665 (E.D. Cal. Nov. 1, 2023); 20 see also *Miller v. Hambrick*, 905 F.2d 259, 262 (9th Cir. 1990) ("Normally transfer will be in the 21 interest of justice because normally dismissal of an action that could be brought elsewhere is 'time 22 consuming and justice-defeating.'") (internal citation omitted). Dismissal is appropriate when the 23 case was deliberately filed in the wrong court through forum shopping, *Wood v. Santa Barbara* 24 Chamber of Commerce, 705 F.2d 1515, 1523 (9th Cir. 1983), or if it is clear the complaint could not 25 be amended to state a cognizable claim, see generally *Lemon v. Kramer*, 270 F.Supp.3d 125, 140 (D. 26 D.C. 2017). 27 Here, Plaintiff may have accidentally filed the case in the wrong venue, as the caption of the 28 complaint states "Central District of California." And, the Court is unable to conclude at this time 1 || that there are no circumstances under which plaintiff can state a cognizable claim. The Court will 2 | transfer this action to the Central District of California pursuant to 28 U.S.C. § 1406(a). In 3 | transferring this action, this court expresses no opinion regarding the merits of Plaintiff's complaint. 4 | Plaintiff is instructed to direct any further filings or inquiries related to this case to the United States 5 || District Court for the Central District of California. Further documents filed in the Eastern District of 6 || California related to this case will be disregarded. 7 In accordance with the above, IT IS HEREBY ORDERED: 8 1. This action, including the pending motion to proceed in forma pauperis, is 9 TRANSFERRED to the United States District Court for the Central District of 10 California pursuant to 28 U.S.C. § 1406(a). 11 2. The Clerk shall close this case. 12 || DATED: September 11, 2025 md 14

SEAN C. RIORDAN

15 UNITED STATES MAGISTRATE JUDGE

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