

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

**Tyler Fallon v. Wilson Medical Center; HCA Florida Kendall
Hospital; Mirae Asset Securities (USA) Inc.; Cindy Napoletano;
John/Jane Does 1-25**

26-CV-3382 (LTS) · No. 26-CV-3382 (LTS) · Decided April 27, 2026

SUMMARY

The United States District Court for the Southern District of New York transferred Tyler Fallon's pro se EMTALA action to the Southern District of Florida under 28 U.S.C. § 1404(a). The court concluded that Florida was a more convenient forum because substantial events, the plaintiff, a defendant hospital, and identified evidence were located there, and left pending fee-waiver and temporary-restraining-order determinations to the transferee court.

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	April 27, 2026
DOCKET	26-CV-3382 (LTS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a pro se EMTALA action in the Southern District of New York and moved for a temporary restraining order. The court transferred the action to the Southern District of Florida under 28 U.S.C. § 1404(a).
STANDARD OF REVIEW	The court applied the discretionary convenience-and-interest-of-justice standard under 28 U.S.C. § 1404(a), considering the relevant transfer factors under the totality of the circumstances.
PRECEDENTIAL VALUE	unpublished; persuasive at most

TOPICS

- venue
- civil procedure
- injunctions
- health law

PRACTICE AREAS

civil procedure

health law

venue

Emergency Medical Treatment and Labor Act

QUESTIONS PRESENTED

1. Whether venue was proper in the Southern District of New York under 28 U.S.C. § 1391.
2. Whether the action should be transferred to the Southern District of Florida under 28 U.S.C. § 1404(a) for the convenience of the parties and witnesses and in the interest of justice.
3. Whether the Southern District of New York should decide Plaintiff's motion for a temporary restraining order and his ability to proceed without prepayment of fees before transfer.

HOLDINGS

1. The Southern District of New York did not appear to be a proper venue under 28 U.S.C. § 1391(b)(1) because multiple defendants were alleged to reside outside New York; venue was proper in the Eastern District of North Carolina and the Southern District of Florida because defendants and substantial events were located there.
2. Transfer to the Southern District of Florida was appropriate under 28 U.S.C. § 1404(a) because a substantial portion of the underlying events occurred there, Plaintiff and a defendant hospital were located there, relevant evidence was allegedly located there, and Florida was the more convenient forum.
3. The transferee court should determine whether Plaintiff may proceed without prepayment of fees and whether his motion for a temporary restraining order should be granted.

KEY QUOTATIONS

“District courts have broad discretion in making determinations of convenience under Section 1404(a) and notions of convenience and fairness are considered on a case-by-case basis.”

FACTUAL BACKGROUND

Plaintiff identified himself as a New Jersey citizen but provided a Miami Beach, Florida address. He alleged that Wilson Medical Center in North Carolina and HCA Florida Kendall Hospital in Florida violated EMTALA by failing to provide adequate emergency care. He also alleged that relevant physical and electronic evidence was located in safety deposit boxes in Miami Beach, and one of the defendants was alleged to be located in New York.

PROCEDURAL HISTORY

Plaintiff alleged that hospitals in North Carolina and Florida failed to provide adequate emergency care in violation of EMTALA. He filed the action in the Southern District of New York and submitted a motion for a temporary restraining order. The court determined that venue was proper in the Eastern District of North Carolina and the Southern District of Florida, but not apparently proper in the Southern District of New York, and transferred the case to the Southern District of Florida. The transferee court was left to decide whether Plaintiff could proceed without prepayment of fees and whether to grant the temporary restraining order.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk was directed to transfer the action to the United States District Court for the Southern District of Florida. The transferee court was to determine whether Plaintiff could proceed without prepayment of fees and whether to grant the temporary restraining order. The Southern District of New York terminated the pending motion, ordered that summonses not issue from that court, waived the seven-day delay under Local Civil Rule 83.1, and closed the case on its docket.

CASES CITED

- Keitt v. N.Y. City, 882 F. Supp. 2d 412, 459-60 (S.D.N.Y. 2011)
- N.Y. Marine and Gen. Ins. Co. v. LaFarge N. Am., Inc., 599 F.3d 102, 112 (2d Cir. 2010)
- D.H. Blair & Co. v. Gottdiener, 462 F.3d 95, 106 (2d Cir. 2006)
- Coppedge v. United States, 369 U.S. 438, 444-45 (1962)