

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Lilia Angello v. Barrett D. Mack, et al.

Angello · No. 25-CV-10849 (KMK) · Decided January 12, 2026

SUMMARY

The United States District Court for the Southern District of New York sua sponte transferred Lilia Angello’s action to the Northern District of New York under 28 U.S.C. § 1404(a). The court found that the plaintiff, relevant events, state matrimonial proceedings, and property involved in foreclosure proceedings were located within the Northern District, while the Southern District’s connection was limited.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Kenneth M. Karas
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	January 12, 2026
DOCKET	25-CV-10849 (KMK)
DISPOSITION	other
PROCEDURAL POSTURE	On sua sponte review of Plaintiff's complaint, the district court transferred the action to the Northern District of New York under 28 U.S.C. § 1404(a).
STANDARD OF REVIEW	A district court has broad discretion to determine convenience and fairness under 28 U.S.C. § 1404(a), considering the circumstances on a case-by-case basis.
PRECEDENTIAL VALUE	unpublished

TOPICS

- venue
- civil procedure
- injunctions
- foreclosure
- real estate

PRACTICE AREAS

- civil procedure
- venue
- real estate
- foreclosure

QUESTIONS PRESENTED

1. Whether the action should be transferred sua sponte from the Southern District of New York to the Northern District of New York under 28 U.S.C. § 1404(a) for the convenience of the parties and witnesses and in the interest of justice.

HOLDINGS

1. The action should be transferred to the Northern District of New York because it could have been brought there and the relevant parties, events, witnesses, state-court proceedings, and property were principally connected to that district.

KEY QUOTATIONS

“For the convenience of parties and witnesses, and in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.”

“For the convenience of the parties and witnesses [and]s in the interest of justice, this Court hereby TRANSFERS this Action to the Northern District of New York.”

FACTUAL BACKGROUND

Plaintiff resides in Ghent, New York, and the events alleged in the complaint occurred in Albany, New York. The allegations concern matrimonial proceedings in Columbia County Supreme Court and the Appellate Division, Third Department, as well as state-court foreclosure proceedings involving property in Germantown, New York. The only apparent connection to the Southern District was one defendant's office address in Rhinebeck, New York.

PROCEDURAL HISTORY

Plaintiff filed her complaint in the Southern District of New York on December 29, 2025. Before any merits adjudication, the court determined that the action could have been brought in the Northern District of New York because Plaintiff resided there and the material events and property were located there, and it ordered transfer.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk was directed to transfer the action to the Northern District of New York and terminate the pending motion at Dkt. No. 1.

CASES CITED

- Rindfleisch v. Gentiva Health Sys., Inc., 752 F. Supp. 2d 246, 250 (E.D.N.Y. 2010)
- Romano v. Banc of Am. Ins. Servs., 528 F. Supp. 2d 127, 129 (E.D.N.Y. 2007)
- D.H. Blair & Co. v. Gottdiener, 462 F.3d 95, 106 (2d Cir. 2006)

- Jones v. United States, No. 02-CV-1017, 2002 WL 2003191, at *3 (E.D.N.Y. Aug. 26, 2002)
- Berman v. Informix, 30 F. Supp. 2d 653, 658 (S.D.N.Y. 1998)
- King-Knight v. New York, 25-CV-1148, 2025 WL 642248, at *1-*2 (S.D.N.Y. Feb. 27, 2025)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK LILIA ANGELLO, Plaintiff, Case No. 25-CV-10849 (KMK) v. TRANSFER ORDER BARRETT D. MACK, et. al Defendants. KENNETH M. KARAS, United States District Judge: Before the Court is Lilia Angello (“Plaintiff”)’s Complaint, filed on December 29, 2025. (See Compl. (Dkt. No. 1).)

After reviewing Plaintiff’s Complaint, the Court determines sua sponte that this case should be transferred to the Northern District of New York. Under 28 U.S.C. § 1404(a), “[f]or the convenience of parties and witnesses, and in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” Section 1404(a) “is intended to prevent waste of time, energy, and money and to protect litigants, witnesses, and the public against unnecessary inconvenience and expense.” *Rindfleisch v. Gentiva Health Sys., Inc.*, 752 F. Supp. 2d 246, 250 (E.D.N.Y.

2010) (internal quotation marks, brackets, and citation omitted). A district court has “broad discretion in making determination of convenience under Section 1404(a) and notions of convenience and fairness are considered on a case-by-case basis.” *Romano v. Banc of Am. Ins. Servs.*, 528 F. Supp. 2d 127, 129 (E.D.N.Y. 2007) (quoting *D.H. Blair & Co., Inc. v. Gottdiener*, 462 F.3d 95, 106 (2d Cir.

2006) (internal quotation marks omitted). Plaintiff could have brought this Action in the Northern District of New York because she resides in Ghent, New York, and the events alleged in the Complaint took place in Albany, New York and relate to Plaintiff’s matrimonial proceedings in New York Supreme Court, Columbia County, and New York Supreme Court, Appellate Division, Third Department.

(See Compl. 2–9, 19, 21, 28–50.) Plaintiff also seeks a temporary restraining order and permanent injunction to halt the state court foreclosure proceedings on a property located in Germantown, New York. (Id. 2, 10–17.) All of these places fall within the jurisdiction of the Northern District of New York. See 28 U.S.C. § 112(a) (“The Northern District [of New York] comprises of the counties of Albany,...

Columbia,...”). The Complaint’s only apparent connection to this District is one Defendant’s office address in Rhinebeck, New York, but none of the principal events alleged in the Complaint took place here, and most of the Parties involved in the Action seem to be located outside the District, which weighs in favor of transferring it. See *Jones v. U.S.*, No. 02-CV-1017, 2002 WL 2003191, at *3 (E.D.N.Y.

Aug. 26, 2002) (quoting *Berman v. Informix*, 30 F. Supp. 2d 653, 658 (S.D.N.Y. 1998) (“If the ‘principal events occurred and the principal witnesses are located in another district,’ the locus of facts provides a strong reason to transfer [the action].”); see also *King-Knight v. New York*, 25-CV-1148, 2025 WL 642248, at *1–*2 (S.D.N.Y. Feb. 27, 2025) (transferring a case from the Southern District of New York to the Northern District of New York because the events and parties to the action were located there).

Accordingly, “[f]or the convenience of the parties and witnesses [and]s in the interest of justice,” this Court hereby TRANSFERS this Action to the Northern District of New York. The Clerk of Court is respectfully directed to transfer this Action and terminate the pending motion at Dkt. No.

1. SO ORDERED. DATED: January 12, 2026 White Plains, New York

KENNETH M. KARAS UNITED STATES
DISTRICT JUDGE