

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Michelle Adams v. Judge Robert T. Watson, et al.

25-CV-9915 (LTS) · No. 1:25-cv-09915 (LTS) · Decided December 3, 2025

SUMMARY

The United States District Court for the Southern District of New York transferred Michelle Adams’s pro se federal civil-rights action to the Southern District of Florida under 28 U.S.C. § 1406(a) because the alleged events occurred in Miami, Florida, making venue improper in New York. The court waived the usual transfer delay, directed that no summons issue, closed the case, and denied in forma pauperis status for any appeal.

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	December 3, 2025
DOCKET	1:25-cv-09915 (LTS)
DISPOSITION	remanded
PROCEDURAL POSTURE	Pro se plaintiff filed a federal civil-rights action in the Southern District of New York and sought to stay underlying Florida state-court proceedings. The court determined that venue was improper and transferred the action to the Southern District of Florida under 28 U.S.C. § 1406(a).
PRECEDENTIAL VALUE	unknown

TOPICS

venue civil procedure section 1983 injunctions

PRACTICE AREAS

civil procedure civil rights venue section 1983

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 Florida under 28 U.S.C. § 1406(a) because the action was filed in the wrong venue.

HOLDINGS

1. Venue was not proper in the Southern District of New York because the defendants were employed in Miami, Florida, and the alleged events giving rise to the claims occurred there.
2. The court transferred the action to the United States District Court for the Southern District of Florida because venue was improper in the Southern District of New York and the interest of justice favored transfer.

KEY QUOTATIONS

“Under 28 U.S.C. § 1406, 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.””

(Discussion)

FACTUAL BACKGROUND

Plaintiff alleged that judges and court personnel in state courts located in Miami, Florida, violated her federally protected rights. She sought to stay the underlying state-court proceedings. The complaint alleged that the events giving rise to her claims occurred in Miami but did not plead the defendants' residences.

PROCEDURAL HISTORY

Michelle Adams brought the action in the Southern District of New York against Florida state judges and court personnel. The court found that the alleged events occurred in Miami, Florida, that venue was not proper in the Southern District of New York, and that the action could have been brought in the Southern District of Florida. It transferred the case, waived the seven-day delay under Local Civil Rule 83.1, directed that no summons issue, closed the case, and denied in forma pauperis status for an appeal.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The Clerk of Court 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 should receive injunctive relief.

CASES CITED

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

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK MICHELLE ADAMS, Plaintiff, -against- JUDGE ROBERT T. WATSON, in his official capacity in Florida's 11th Judicial Circuit; JUDGE IVAN F. FERNANDEZ, in his official capacity in Florida's 3rd District Court of Appeals; JUDGE BRONWYN MILLER, in his official capacity in Florida's 3rd District Court of Appeals; JUDGE ALEXANDER BOKOR, in his official capacity in Florida's 25-CV-9915 (LTS) 3rd District Court of Appeals; MERCEDES TRANSFER ORDER M. PRIETO, in her official capacity in Florida's 3rd District Court of Appeals; JOHN A. TOMASINO, in his official capacity in the Florida Supreme Court; MIAMI-DADE CLERK OF COURT in its official capacity; JUDGE LOURDES SIMON, in her official capacity in Florida's 11th Judicial Circuit; ARIANA FAJARDO ORSHAN, in her official capacity in Florida's 11th Judicial Circuit; and JOHN/JANE DOE, in their official capacities in Florida's court system, Defendants.

LAURA TAYLOR SWAIN, Chief United States District Judge: Plaintiff brings this pro se action under the Court's federal question jurisdiction. She alleges that judges and court personnel in several different state courts in Miami, Florida, are violating her federally protected rights, and she seeks to stay the underlying state-court proceedings.

For the following reasons, the Court transfers this action under 28 U.S.C. § 1406 to the United States District Court for the Southern District of Florida. DISCUSSION Under 28 U.S.C. § 1391(b), a civil action may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

Under Section 1391(c), a "natural person" resides in the district where the person is domiciled, and an "entity with the capacity to sue and be sued" resides in any judicial district where it is subject to personal jurisdiction with respect to the civil action in question. See 28 U.S.C. § 1391(c) (1), (2). Plaintiff alleges that Defendants, who are judges and court personnel in state courts located in Miami, Florida, violated her federally protected rights, and she seeks to stay court proceedings.

She does not plead the residence of any of the defendants, only asserting that the alleged events giving rise to her claims occurred in state courts in Miami. Because Defendants are employed in Miami, and the alleged events occurred there, from the face of the complaint, it is clear that venue is not proper in this Court under Section 1391(b)(1), (2).

Under 28 U.S.C. § 1406, 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.” 28 U.S.C. § 1406(a). Plaintiff’s claims arose in Miami, Florida, which is in the Southern District of Florida. See 28 U.S.C. § 89(c).

Accordingly, venue lies in the Southern District of Florida, 28 U.S.C. § 1391(b)(2), and in the interest of justice, the Court transfers this action to the United States District Court for the Southern District of Florida, 28 U.S.C. § 1406(a). CONCLUSION The Clerk of Court is directed to transfer this action to the United States District Court for the Southern District of Florida.

The Court waives Local Rule Civil Rule 83.1, which requires a seven-day delay before the Clerk of Court may transfer a case. Whether Plaintiff should be granted injunctive relief is a determination to be made by the transferee court. A summons shall not issue from this Court. This order closes this case.

The Court certifies, pursuant to 28 U.S.C § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). SO ORDERED. Dated: December 3, 2025 New York, New York /s/ Laura Taylor Swain LAURA TAYLOR SWAIN Chief United States District Judge