

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Demetrio Cabrera v. D. Campagna, et al.

Cabrera v. Campagna · No. 1:25-cv-01864-SKO (PC) · Decided December 17, 2025

SUMMARY

The court transferred Demetrio Cabrera’s 42 U.S.C. § 1983 civil rights action from the Eastern District of California to the Northern District of California. The court concluded that none of the defendants resided in the Eastern District and that the claims arose in Monterey County, making transfer appropriate under 28 U.S.C. § 1406(a).

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 17, 2025
DOCKET	1:25-cv-01864-SKO (PC)
DISPOSITION	other
PROCEDURAL POSTURE	A pro se state prisoner filed a civil-rights action under 42 U.S.C. § 1983 in the Eastern District of California. The court determined that venue was improper and transferred the case to the Northern District of California.
PRECEDENTIAL VALUE	Unknown; district court transfer order with no reported citation
PARTIES	Demetrio Cabrera v. D. Campagna, et al.

TOPICS

- venue
- section 1983
- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights
- prisoners rights

QUESTIONS PRESENTED

1. Whether venue was proper in the Eastern District of California under 28 U.S.C. § 1391(b).

2. Whether the case should be transferred to the Northern District of California under 28 U.S.C. § 1406(a) because it was filed in the wrong district.

HOLDINGS

1. Venue was improper in the Eastern District of California because none of the defendants resided there and the claim arose in Monterey County, which is in the Northern District of California.
2. The case should be transferred in the interest of justice to the United States District Court for the Northern District of California under 28 U.S.C. § 1406(a).

KEY QUOTATIONS

“The federal venue statute requires that a civil action, other than one based in diversity jurisdiction, be brought only in “(1) a judicial district where 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 the 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.”” (at 1)

FACTUAL BACKGROUND

Demetrio Cabrera, a state prisoner proceeding pro se, filed a civil-rights action under 42 U.S.C. § 1983. None of the defendants resided in the Eastern District of California, and the claim arose in Monterey County, located in the Northern District of California.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 civil-rights action in the Eastern District of California. The court found that none of the defendants resided in the district and that the claim arose in Monterey County, which lies in the Northern District of California; it therefore transferred the action in the interest of justice under 28 U.S.C. § 1406(a).

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was transferred to the United States District Court for the Northern District of California; no remand instructions were issued.

CASES CITED

- Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 DEMETRIO CABRERA, 1:25-cv-01864-SKO (PC) 12 Plaintiff, ORDER
TRANSFERRING CASE TO THE 13 v. NORTHERN DISTRICT OF CALIFORNIA 14 D.
CAMPAGNA, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner proceeding pro se, has filed a
civil rights action pursuant to 42 18 U.S.C. § 1983.

19 The federal venue statute requires that a civil action, other than one based on diversity 20
jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all 21
defendants are residents of the State in which the district is located, (2) a judicial district in which
22 a substantial part of the events or omissions giving rise to the claim occurred, or a substantial
part 23 of the property that is the subject of the action is situated, or (3) if there is no district in
which an 24 action may otherwise be brought as provided in this section, any judicial district in
which any 25 defendant is subject to the court’s personal jurisdiction with respect to such action.”
28 U.S.C. § 26 1391(b).

27 In this case, none of the defendants reside in this district. The claim arose in Monterey 28
County, which is in the Northern District of California. Therefore, Plaintiff’s claim should have 1
been filed in the United States District Court for the Northern District of California.

In the interest 2 of justice, a federal court may transfer a complaint filed in the wrong district to the
correct 3 district. See 28 U.S.C. § 1406(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir.
1974). 4 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United 5
States District Court for the Northern District of California. 6 IT IS SO ORDERED.

7 8 Dated: December 17, 2025 /s/ Sheila K. Oberto. UNITED STATES MAGISTRATE JUDGE 9
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28