

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Robert Lamount Crossley v. Correctional Officer Diaz Garcia, et al.

Crossley · No. 5:25-cv-3618 FLA (DSR) · Decided January 5, 2026

SUMMARY

The United States District Court for the Central District of California ordered Plaintiff Robert Lamount Crossley to show cause why his civil rights action should not be transferred to the Eastern District of California. The court determined that the alleged events occurred at Kern Valley State Prison in Kern County and that the defendants were located there, making venue appear proper in the Eastern District of California under 28 U.S.C. §§ 1391(b) and 1406(a). Plaintiff was directed to respond by January 20, 2026, or the action would be transferred.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Daniel S. Roberts, United States Magistrate Judge
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 5, 2026
DOCKET	5:25-cv-3618 FLA (DSR)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause why the § 1983 action should not be transferred from the Central District of California to the Eastern District of California for improper venue.
STANDARD OF REVIEW	The court assessed venue based on the allegations in the complaint under 28 U.S.C. § 1391(b); no appellate standard of review applies.
PRECEDENTIAL VALUE	Nonprecedential interlocutory order to show cause
PARTIES	Robert Lamount Crossley v. Correctional Officer Diaz Garcia, J. Flores, Garcia, K. Garcia, S. Lopez, Diaz Garcia

TOPICS

- venue
- civil procedure
- section 1983

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the allegations established a basis for venue in the Central District of California.
2. Whether the action should be transferred to the Eastern District of California under 28 U.S.C. § 1406(a) if venue was improper.
3. Whether Plaintiff should be given an opportunity to show cause why the action should not be transferred.

HOLDINGS

1. Based on the allegations in the complaint, there appeared to be no basis for venue in the Central District of California because the defendants and the events underlying the claims were located in Kern County, within the Eastern District of California.
2. A federal court may transfer a complaint filed in the wrong judicial district to the correct district in the interest of justice under 28 U.S.C. § 1406(a).

KEY QUOTATIONS

“In the interest of justice, a federal court may transfer a complaint filed in the wrong judicial district to the correct judicial district.” (at 2)

FACTUAL BACKGROUND

Plaintiff is incarcerated at the California Institute for Men in Chino, California, and alleges constitutional violations arising from an incident on November 24, 2025. He identified the defendants as correctional officers at Kern Valley State Prison in Delano, California, and alleged that the underlying events occurred there. The court noted that Kern County is within the Eastern District of California.

PROCEDURAL HISTORY

On December 15, 2025, Plaintiff filed a pro se civil-rights complaint under 42 U.S.C. § 1983. The court concluded that the complaint appeared to identify Kern Valley State Prison in Delano, California, and the defendants located there as the source of the claims, suggesting that venue was proper in the Eastern District of California rather than the Central District. The court ordered Plaintiff to respond by January 20, 2026, and warned that failure to respond would result in transfer.

DISPOSITION

other

CASES CITED

- *Ravelo Monegro v. Rosa*, 211 F.3d 509, 512 (9th Cir. 2000)

OPINION

CIVIL MINUTES – GENERAL Case No. 5:25-cv-3618 FLA (DSR) Date: January 5, 2026 Title Robert Lamount Crossley v. Correctional Officer Diaz Garcia, et al. Present: The Honorable: Daniel S. Roberts, United States Magistrate Judge L. Krivitsky n/a Deputy Clerk Court Reporter / Recorder Attorneys Present for Attorneys Present for Plaintiff(s)/Petitioner(s): Defendant(s)/Respondent(s): None present None present Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE TRANSFERRED TO EASTERN DISTRICT OF CALIFORNIA On December 15, 2025, pro se Plaintiff Robert Lamount Crossley ("Plaintiff") filed a Civil Rights Complaint pursuant to 42 U.S.C. § 1983 (Doc.

No. 1, hereinafter the "Complaint"). Plaintiff is currently incarcerated at the California Institute for Men in Chino, California. Id. at 2, § "C".¹ Plaintiff seeks relief from alleged constitutional violations which occurred on November 24, 2025. Id. at 16. Plaintiff names as defendants J. Flores, Garcia, K. Garcia, S. Lopez, and Diaz Garcia, all of whom are identified as correctional officers.

Id. at 16-17. Plaintiff names all Defendants in both their individual and official capacities. Id. The Complaint describes all Defendants being located at Kern Valley State Prison, located in Delano, California. Id. The incident underlying Plaintiff's claims for relief is also alleged to have occurred at Kern Valley State Prison. Id. at 2, § "C."

The federal venue statute requires that a civil action 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 1 Because the Petition is not consecutively paginated, the Court cites to the CM/ECF pagination on the top of each page.

CIVIL MINUTES – GENERAL Case No. 5:25-cv-3618 FLA (DSR) Date: January 5, 2026 Title Robert Lamount Crossley v. Correctional Officer Diaz Garcia, et al. 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.” 28 U.S.C. § 1391(b).

Based on the allegations in the Complaint, none of the Defendants reside in the Central District of California. To the contrary, it appears that all of the events that form the basis of Plaintiff’s claims occurred at Kern Valley State Prison and that all of the Defendants are located at Kern Valley State Prison. See Complaint at p. 2 § "C" and pp. 16-17. Kern Valley State Prison is located in Delano, California, which is in Kern County.

Kern County is located within the boundaries of the Eastern District of California. See 28 U.S.C. § 84(b). In the interest of justice, a federal court may transfer a complaint filed in the wrong judicial district to the correct judicial district. See 28 U.S.C. § 1406(a); *Ravelo Monegro v. Rosa*, 211 F.3d 509, 512 (9th Cir. 2000). Judging from the facts alleged in the Complaint, there does not appear to be any basis for venue in this judicial district.

Instead, venue appears to be appropriate in the Eastern District of California. Accordingly, Plaintiff is ORDERED TO SHOW CAUSE why this action should not be transferred to the Eastern District of California. On or before January 20, 2026, Plaintiff shall file a response to this Order either agreeing to have this action transferred to the Eastern District of California or explaining why venue is appropriate in this judicial district.

Plaintiff is warned that if he fails to timely respond to this Order, the Court will transfer the action to the Eastern District of California. If Plaintiff no longer wishes to pursue this action, he may voluntarily dismiss the action by filing a Notice of Dismissal in accordance with Federal Rule of Civil Procedure 41(a)(1). A form Notice of Dismissal is attached for convenience.

IT IS SO ORDERED. Attachment: CV-09, Notice of Dismissal Pursuant to Federal Rules of Civil Procedure 41(a) or (c). Initials of Preparer LK