

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Robert James Swint v. PYYP

Swint · No. 1:26-cv-03548-EPG (PC) · Decided May 12, 2026

SUMMARY

The United States District Court for the Eastern District of California ordered the transfer of Robert James Swint’s prisoner civil rights action to the District of Oregon. The court concluded that venue was improper in California because the defendants did not reside there and the claim arose in Columbia County, Oregon, and transferred the case under 28 U.S.C. § 1406(a) in the interest of justice.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Fahey
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 12, 2026
DOCKET	1:26-cv-03548-EPG (PC)
DISPOSITION	transferred
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 action to the District of Oregon.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- venue
- section 1983
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

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

2. Whether the court should transfer the action to the District of Oregon under 28 U.S.C. § 1406(a) because the case 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 Columbia County, Oregon, within the District of Oregon.
2. A federal court may transfer a complaint filed in the wrong district to the correct district in the interest of justice, and this action should be transferred to the District of Oregon.

KEY QUOTATIONS

“Accordingly, IT IS HEREBY ORDERED that this matter be transferred to the United States District Court for the District of Oregon.” (lines 6-7)

FACTUAL BACKGROUND

Robert James Swint, a state prisoner proceeding pro se, filed a civil rights action under 42 U.S.C. § 1983. The court found that none of the defendants resided in the Eastern District of California and that the claim arose in Columbia County, Oregon. Because Columbia County is located in the District of Oregon, the court determined that the action had been filed in the wrong district.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 civil rights complaint in the Eastern District of California. The court found that none of the defendants resided in that district and that the claim arose in Columbia County, Oregon. The court transferred the case to the United States District Court for the District of Oregon in the interest of justice.

DISPOSITION

transferred

REMAND INSTRUCTIONS

The matter was transferred to the United States District Court for the District of Oregon.

CASES CITED

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

OPINION

Swint

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 ROBERT JAMES SWINT, 1:26-cv-03548-EPG (PC)

12 Plaintiff,

ORDER TRANSFERRING CASE TO THE

13 v. DISTRICT OF OREGON – PORTLAND

DIVISION

14 PYYP,

15 Defendant. 16

17 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 18

U.S.C. § 1983. (ECF No. 1)

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.”

26 U.S.C. § 26 1391(b). 27 28 1 In this case, none of the defendants reside in this district. The
claim arose in Columbia 2 | County, which is in the District of Oregon. Therefore, plaintiff’s claim
should have been filed in 3 | the United States District Court for the District of Oregon. In the
interest of justice, a federal 4 | court may transfer a complaint filed in the wrong district to the
correct district. See 28 U.S.C. § 5 | 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir.
1974). 6 Accordingly, IT IS HEREBY ORDERED that this matter be transferred to the United 7 |
States District Court for the District of Oregon. 8 9 IT IS SO ORDERED. 10 | Dated: _ May 12,
2026 □□□ Fahey —

UNITED STATES MAGISTRATE JUDGE

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