

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Coffer v. Dugan

No. 2:25-cv-0926 JDP (P), United States District Court for the Eastern District of California (April 9, 2025)

SUMMARY

The United States District Court for the Eastern District of California orders the transfer of a pro se prisoner’s 42 U.S.C. § 1983 action to the Northern District of California. The court concludes that the defendant and the events underlying the claim are located in Alameda County and that transfer is 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	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 9, 2025
DOCKET	2:25-cv-0926 JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner filed a civil-rights action under 42 U.S.C. § 1983 in the Eastern District of California without paying the filing fee or submitting an in forma pauperis application. The court determined that venue was proper in the Northern District of California and transferred the action in the interest of justice.
PRECEDENTIAL VALUE	Unpublished district-court order; precedential status not stated.

TOPICS

- venue
- section 1983
- civil procedure

PRACTICE AREAS

- Civil procedure
- Prisoner 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 action 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 the defendant was located and the claim arose in Alameda County, which is in the Northern District of California.
2. When a civil action is filed in the wrong federal district, the court may transfer it to the proper 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 district to the correct district.” (at 1)

FACTUAL BACKGROUND

Jonathan Coffey, a state prisoner proceeding without counsel, filed a civil-rights action against Sierra Promise Dugan under 42 U.S.C. § 1983. The defendant was located in Alameda County, and the claim arose there; Alameda County is within the Northern District of California. Plaintiff had not paid the filing fee or filed an application to proceed in forma pauperis.

PROCEDURAL HISTORY

Plaintiff commenced this § 1983 action in the Eastern District of California. Because the defendant was located and the claim arose in Alameda County, the court found that the action should have been filed in the Northern District of California and transferred the matter 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 was ordered.

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 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 JONATHAN COFFEY, Case No. 2:25-cv-0926 JDP (P) 12 Plaintiff, 13 v.
ORDER 14 SIERRA PROMISE DUGAN, 15 Defendant. 16 17 Plaintiff, a state prisoner
proceeding pro se, has filed a civil rights action pursuant to 18 42 U.S.C. § 1983. Plaintiff has

neither filed an application to proceed in forma pauperis pursuant 19 to 28 U.S.C. § 1915 nor paid the filing fee for this action.

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

27 In this case, the defendant is located, and the claim arose in Alameda County, which is in 28 the Northern District of California. Therefore, plaintiff’s claim should have been filed in the 1 | United States District Court for the Northern District of California.

In the interest of justice, a 2 | federal court may transfer a complaint filed in the wrong district to the correct district. See 3 | 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 7 IT IS SO ORDERED. Dated: _ April 9, 2025 q—— 9 JEREMY D. PETERSON 10 UNITED STATES MAGISTRATE JUDGE 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28