

**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).

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 JONATHAN COFFER, 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

