

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Stevens v. SBMC, et al.

Stevens · No. 2:25-cv-0609 SCR P · Decided February 28, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered the transfer of a pro se prisoner’s 42 U.S.C. § 1983 action to the Northern District of California. The court concluded that the claim arose in Mendocino County and that transfer was 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	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 28, 2025
DOCKET	2:25-cv-0609 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se, filed a 42 U.S.C. § 1983 civil rights action and an application to proceed in forma pauperis. The district court determined that venue was improper and transferred the matter to the Northern District of California.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order

TOPICS

- venue
- civil procedure
- section 1983
- prisoners rights

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

- Whether venue was proper in the Eastern District of California under 28 U.S.C. § 1391(b).
- Whether the action should be transferred to the Northern District of California under 28 U.S.C. § 1406(a) because the claim arose in Mendocino County.

HOLDINGS

- 1. Venue was improper in the Eastern District of California because the claim arose in Mendocino County, which is located in the Northern District of California.
- 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 Northern District of California.

KEY QUOTATIONS

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

FACTUAL BACKGROUND

Plaintiff is a state prisoner who brought a civil rights action under 42 U.S.C. § 1983. The court determined that the claim arose in Mendocino County, California, and therefore concluded that the Northern District of California was the proper federal venue.

PROCEDURAL HISTORY

Dean Michael Stevens filed this prisoner civil rights action in the Eastern District of California. The court concluded that the claim arose in Mendocino County, which is located in the Northern District of California, and transferred the case under 28 U.S.C. § 1406(a) in the interest of justice.

DISPOSITION

other

REMAND INSTRUCTIONS

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

CASES CITED

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

OPINION

(PC) Stevens v. SBMC

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 DEAN MICHAEL STEVENS, No. 2:25-cv-0609 SCR P

12 Plaintiff, 13 v. ORDER 14 SBMC, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner

proceeding pro se, has filed a civil rights action pursuant to 18 U.S.C. § 1983. (ECF No. 1.) Plaintiff has also filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 2.) The federal venue statute provides that a civil action “may be brought in (1) a judicial district in which 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 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 action, 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). In this case, the claim arose in Mendocino County, which is in the Northern District of California. Therefore, plaintiff’s claim should have been filed in the United States District Court for the Northern District of California. In the interest of justice, a federal court may transfer a complaint filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir. 1974). Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States District Court for the Northern District of California. DATE: February 28, 2025 . fof 8

SEAN C. RIORDAN

UNITED STATES MAGISTRATE JUDGE

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