

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).

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 42 U.S.C. § 1983. (ECF No. 1.)

Plaintiff has also filed an application to proceed in forma 19 pauperis pursuant to 28 U.S.C. §
1915. (ECF No. 2.) 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 claim arose in Mendocino County, which is in the Northern District of 28 California.

Therefore, plaintiff's claim should have been filed in the United States District Court 1 | for the

Northern District of California. In the interest of justice, a federal court may transfer a 2 |

complaint filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. 3 ||

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 || DATE: February 28, 2025 . fof 8

SEAN C. RIORDAN

9 UNITED STATES MAGISTRATE JUDGE

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