

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Parker v. Napa Superior Court

No. 1:25-cv-00367-SKO (HC) (E.D. Cal. Mar. 31, 2025) · No. 1:25-cv-00367-SKO (HC) · Decided April 1, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered the transfer of Dewayne Parker’s 28 U.S.C. § 2254 habeas corpus action to the Northern District of California. The court concluded that venue was proper in the Northern District because Parker was challenging a conviction from Napa County and cited 28 U.S.C. § 1406(a).

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 1, 2025
DOCKET	1:25-cv-00367-SKO (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a state-prisoner habeas corpus action under 28 U.S.C. § 2254 in the Eastern District of California. The court determined that venue was proper in the Northern District of California and transferred the case there in the interest of justice.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- federal habeas corpus
- venue
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- civil procedure

QUESTIONS PRESENTED

- Whether the habeas action was filed in the proper federal judicial district.

2. Whether the Eastern District of California should transfer the action to the Northern District of California under 28 U.S.C. § 1406(a).

HOLDINGS

1. Because the petition challenged a conviction from Napa County, the action should have been filed in the Northern District of California rather than the Eastern District of California.
2. A federal court may transfer a case filed in the wrong district to the correct district in the interest of justice, and this case should be transferred to the Northern District of California.

FACTUAL BACKGROUND

Petitioner is a state prisoner challenging a conviction from Napa County. Napa County is located within the Northern District of California. The petition was filed in the Eastern District of California, which determined that the case should have been filed in the Northern District.

PROCEDURAL HISTORY

Dewayne Parker, a state prisoner proceeding pro se, filed a § 2254 habeas petition challenging a conviction from Napa County. The Eastern District of California concluded that Napa County is located in the Northern District of California and ordered the case transferred to that district under 28 U.S.C. § 1406(a).

DISPOSITION

other

REMAND INSTRUCTIONS

The matter is 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

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 DEWAYNE PARKER, 1:25-cv-00367-SKO (HC) 12 Petitioner, ORDER
TRANSFERRING CASE TO THE 13 v. UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF 14 NAPA SUPERIOR COURT, CALIFORNIA 15 Respondent. 16
17 Petitioner, a state prisoner proceeding pro se, has filed a habeas corpus action pursuant to 18 28
U.S.C. § 2254.

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
defendants 21 are residents of the State in which the district is located, (2) a judicial district in

which a substantial 22 part of the events or omissions giving rise to the claim occurred, or a substantial part of the property 23 that is the subject of the action is situated, or (3) if there is no district in which an action may 24 otherwise be brought as provided in this section, any judicial district in which any defendant is 25 subject to the court's personal jurisdiction with respect to such action." 28 U.S.C. § 1391(b).

26 In this case, the petitioner is challenging a conviction from Napa County, which is in the 27 Northern District of California. Therefore, the petition should have been filed in the United States 28 District Court for the Northern District of California.

In the interest of justice, a federal court may 1 transfer a case filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); *Starnes 2 v. McGuire*, 512 F.2d 918, 932 (D.C. Cir. 1974). 3 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States 4 District Court for the Northern District of California. 5 IT IS SO ORDERED.

6 7 Dated: March 31, 2025 /s/ Sheila K. Oberto. UNITED STATES MAGISTRATE JUDGE 8 9
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28