

**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

OPINION

(HC) Parker v. Napa Superior Court

PER CURIAM.

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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

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