

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Curtis James Hernandez v. Galvin Newsom

Hernandez v. Newsom · No. 1:25-cv-000857-SAB (PC) · Decided July 15, 2025

SUMMARY

The United States District Court for the Eastern District of California transferred a pro se prisoner's civil rights action under 42 U.S.C. § 1983 to the Central District of California. The court concluded that none of the defendants resided in the Eastern District and that the claim arose in Los Angeles County, making transfer 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 | Stanley A. Boone                                                                                                                                                                                                                            |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                         |
| DECIDED               | July 15, 2025                                                                                                                                                                                                                               |
| DOCKET                | 1:25-cv-000857-SAB (PC)                                                                                                                                                                                                                     |
| DISPOSITION           | other                                                                                                                                                                                                                                       |
| PROCEDURAL POSTURE    | A state prisoner proceeding pro se filed a civil rights action under 42 U.S.C. § 1983 in the Eastern District of California. The court determined that venue was improper and transferred the action to the Central District of California. |
| PRECEDENTIAL VALUE    | Unpublished district court order; precedential status not stated.                                                                                                                                                                           |
| PARTIES               | Curtis James Hernandez v. Galvin Newsom, et al.                                                                                                                                                                                             |

TOPICS

- venue
- section 1983
- civil procedure
- civil rights
- prisoners rights

PRACTICE AREAS

- Civil procedure
- Civil rights
- Prisoner civil rights

QUESTIONS PRESENTED

- Whether venue was proper in the Eastern District of California under 28 U.S.C. § 1391(b).

2. Whether the action should be transferred to the Central District of California under 28 U.S.C. § 1406(a).

## HOLDINGS

1. Venue was improper in the Eastern District of California because none of the defendants resided there and the claim arose in Los Angeles County, which is in the Central District of California.
2. When a complaint is filed in the wrong federal district, the court may transfer it to the proper district in the interest of justice under 28 U.S.C. § 1406(a).

## 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

Curtis James Hernandez, a state prisoner proceeding pro se, brought a civil rights action under 42 U.S.C. § 1983. None of the defendants resided in the Eastern District of California. The claim arose in Los Angeles County, which is within the Central District of California.

## PROCEDURAL HISTORY

Plaintiff filed this § 1983 action in the Eastern District of California. The court found that none of the defendants resided in that district and that the claim arose in Los Angeles County, located in the Central District of California. The court transferred the matter to the Central District of California in the interest of justice under 28 U.S.C. § 1406(a).

## DISPOSITION

other

## REMAND INSTRUCTIONS

The matter is transferred to the United States District Court for the Central District of California.

## CASES CITED

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

## INSTRUCTIONS FOR AN AI ASSISTANT

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