

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

William Shaw v. A. Cortina, et al.

Shaw v. Cortina · No. 2:24-cv-02247 SCR P · Decided October 14, 2025

SUMMARY

The court ordered the transfer of William Shaw’s § 1983 action from the Eastern District of California to the Northern District of California. The court concluded that venue was proper in the Northern District because the alleged violations occurred at Salinas Valley State Prison in Monterey County.

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	October 14, 2025
DOCKET	2:24-cv-02247 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	A pro se incarcerated plaintiff brought a civil-rights action under 42 U.S.C. § 1983. After screening the original complaint and directing plaintiff to allege where the underlying events occurred, plaintiff filed an amended complaint alleging violations at Salinas Valley State Prison in Monterey County. The court determined that venue was improper in the Eastern District of California and transferred the action to the Northern District of California.
PRECEDENTIAL VALUE	Unknown

TOPICS

- venue
- civil procedure
- section 1983
- prisoners rights

PRACTICE AREAS

- Civil procedure
- Civil rights
- Prisoner civil rights

QUESTIONS PRESENTED

1. Whether venue was proper in the Eastern District of California when the alleged events occurred at Salinas Valley State Prison in Monterey County.
2. Whether the action should be transferred to the Northern District of California in the interest of justice under 28 U.S.C. § 1406(a).

HOLDINGS

1. Venue was improper in the Eastern District of California because the claim arose in Monterey County, which is located in the Northern District of California.
2. The action should be transferred to the United States District Court for the Northern District of California in the interest of justice.

KEY QUOTATIONS

“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, 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.”” (at 1)

FACTUAL BACKGROUND

Plaintiff is incarcerated in state prison and is proceeding pro se and in forma pauperis. He alleges civil-rights violations arising at Salinas Valley State Prison in Monterey County, California. Because Monterey County lies within the Northern District of California, the court concluded that the claim should have been filed there.

PROCEDURAL HISTORY

The court previously screened plaintiff’s original complaint, granted leave to proceed in forma pauperis, declined to transfer sua sponte because venue was unclear, and ordered plaintiff to identify where the events occurred. Plaintiff’s amended complaint alleged that the events occurred at Salinas Valley State Prison in Monterey County. The court transferred the matter to the Northern District of California under 28 U.S.C. § 1406(a).

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. 1975)

OPINION

Cortina

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 WILLIAM SHAW, No. 2:24-cv-02247 SCR P 12 Plaintiff, 13 v. ORDER 14 A. CORTINA,
et al., 15 Defendants. 16 17 Plaintiff is incarcerated in state prison and proceeding pro se and in
forma pauperis with 18 this civil rights action under § 1983. On September 30, 2025, the
undersigned issued a screening 19 order on plaintiff's original complaint.¹ (ECF No. 9.) The
proper venue was not clear from the 20 face of the complaint, but the undersigned declined to sua
sponte transfer the action at that time. 21 Instead, the undersigned directed plaintiff to plead in an
amended complaint where the underlying 22 events occurred. (Id. at 5-6.) On October 3, 2025,
plaintiff filed an amended complaint that 23 alleges rights violations at Salinas Valley State Prison
in Monterey County. (ECF No. 14.) 24 The federal venue statute provides that a civil action "may
be brought in (1) a judicial 25 district in which any defendant resides, if all defendants are
residents of the State in which the 26 district is located, (2) a judicial district in which a substantial
part of the events or omissions 27 28 1 The undersigned also granted plaintiff's motion to proceed
in forma pauperis. 1 | giving rise to the claim occurred, or a substantial part of property that is the
subject of the action 2 || is situated, or (3) if there is no district in which an action may otherwise
be brought as provided in 3 || this action, any judicial district in which any defendant is subject to
the court's personal 4 | jurisdiction with respect to such action." 28 U.S.C. § 1391(b). 5 In this
case, the claim arose in Monterey County, which is in the Northern District of 6 || California.
Therefore, plaintiff's claim should have been filed in the United States District Court 7 || for the
Northern District of California. In the interest of justice, a federal court may transfer a 8 |
complaint filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. 9 ||
McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974). 10 Accordingly, IT IS HEREBY ORDERED that
this matter is transferred to the United 11 | States District Court for the Northern District of
California. 12 | DATED: October 14, 2025 14

15 SEAN C. RIORDAN

UNITED STATES MAGISTRATE JUDGE

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