

**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

OPINION

1 2 3 4 5 6 7 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 16 17 18 19 20 21 22 23 24 25 26 27 28

