

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Rodriguez v. Nieves

Rodriguez · No. 2:25-cv-1873 CSK P · Decided July 17, 2025

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 FOR THE EASTERN DISTRICT OF
CALIFORNIA 9 10 ERIC ANTHONY RODRIGUEZ, No. 2:25-cv-1873 CSK P 11 Plaintiff, 12 v.
ORDER 13 NIEVES, et al., 14 Defendants. 15 16 Plaintiff, a state prisoner proceeding pro se, has
filed a civil rights action pursuant to 17 42 U.S.C. § 1983. Plaintiff has filed an application to
proceed in forma pauperis pursuant to 18 28 U.S.C. § 1915.

19 The federal venue statute provides that a civil action “may be brought in (1) a judicial 20
district in which any defendant resides, if all defendants are residents of the State in which the 21
district is located, (2) a judicial district in which a substantial part of the events or omissions 22
giving rise to the claim occurred, or a substantial part of property that is the subject of the action
23 is situated, or (3) if there is no district in which an action may otherwise be brought as provided
in 24 this action, any judicial district in which any defendant is subject to the court’s personal 25
jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

26 In this case, the defendants are located in and the claim arose in Los Angeles County, 27 which
is in the Central District of California. Therefore, plaintiff’s claim should have been filed 28 in the
United States District Court for the Central District of California.

In the interest of justice, 1 | a federal court may transfer a complaint filed in the wrong district to
the correct district. See 2 | 28 U.S.C. § 1406(a); *Starnes 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 4 |
States District Court for the Central District of California. 5 6 || Dated: July 17, 2025 4 a 1 Cnn
Spe \L CHI SOO KIM 8 UNITED STATES MAGISTRATE JUDGE 9 10 rodr1873.21a/2 1] 12 13
14 15 16 17 18 19 20 21 22 23 24 25 26 27 28