

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Redick III v. County of Tuolumne

Redick III · No. 2:25-cv-02530-ODW-BFM · Decided March 24, 2025

SUMMARY

The United States District Court for the Central District of California orders Plaintiff Stanley E. Redick III to show cause why his civil rights action should not be transferred to the Eastern District of California for improper venue. The court concludes that the alleged events and defendants appear connected to Tuolumne County and directs Plaintiff to respond by April 3, 2025.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Brianna Fuller Mircheff
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 24, 2025
DOCKET	2:25-cv-02530-ODW-BFM
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause why the action should not be transferred to the Eastern District of California for improper venue.
STANDARD OF REVIEW	The court applied the venue requirements of 28 U.S.C. § 1391(b) and the transfer-or-dismissal authority of § 1406(a).
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- venue
- civil procedure
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

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

2. Whether the action should be transferred to the Eastern District of California under 28 U.S.C. § 1406(a) if venue was improper.

HOLDINGS

1. Based on the allegations then before it, the court found no apparent connection between the Central District of California and Plaintiff's claims and no showing that venue lay there under 28 U.S.C. § 1391(b).
2. If venue did not properly lie in the Central District, the court could dismiss the action or transfer it to the proper district in the interest of justice, and it gave Plaintiff an opportunity to show cause before deciding whether to transfer.

KEY QUOTATIONS

“The federal venue statute requires that a civil action, other than one based in diversity jurisdiction, be brought only 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 (3) if there is no district in which an action may otherwise be brought as provided in this section, 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 alleged that he was wrongfully arrested for theft and that the charges were later dismissed. He asserted judicial and prosecutorial misconduct involving Tuolumne County Superior Court Judge Siebert and Judge Laura Krieg, and sued Tuolumne County and the two judges. The alleged defendants and events were connected to Tuolumne County, which lies in the Eastern District of California.

PROCEDURAL HISTORY

Plaintiff filed a federal civil-rights complaint in the Central District of California on March 21, 2025. Before service or a final disposition, the court reviewed venue and ordered Plaintiff to explain why the action should not be transferred under 28 U.S.C. § 1406(a).

DISPOSITION

other

CASES CITED

- Smith v. U.S. Dep’t of Educ., No. C 07-04885 CW, 2007 WL 4357546, at *1 (N.D. Cal. Dec. 11, 2007)
- Starnes v. McGuire
- Costlow v. Weeks, 790 F.2d 1486, 1488 (9th Cir. 1986)

OPINION

Redick III v. County of Tuolumne

PER CURIAM.

1 2 3 4 5 6 7 8

UNITED STATES DISTRICT COURT

9

CENTRAL DISTRICT OF CALIFORNIA

10

WESTERN DIVISION

11

12 STANLEY E. REDICK, III,

Case No. 2:25-cv-02530-ODW-BFM 13 Plaintiff, ORDER TO SHOW CAUSE RE:

14 v. TRANSFER VENUE TO

EASTERN DISTRICT OF

15 COUNTY OF TUOLUMNE, et al., CALIFORNIA

16 Defendant. 17

18 19 On March 21, 2025, Plaintiff Stanley E. Redick III filed a civil rights 20 complaint in this District. (ECF 1.) In a declaration attached to the Complaint, 21 Plaintiff states that he was wrongfully arrested for theft, and that the charges 22 were ultimately dismissed. (ECF 2 at 2.) Plaintiff claims that the judge assigned 23 to the case, Tuolumne County Superior Court Judge Siebert, acted improperly. 24 (ECF 2 at 2.) He alleges judicial and prosecutorial misconduct. (ECF 1 at 3.) 25 Plaintiff names as Defendants Tuolumne County; Judge Siebert; and Judge 26 Laura Krieg, who prosecuted Plaintiff and is now a sitting superior court judge 27 in Tuolumne County. (ECF 1 at 2.) Tuolumne County is in the Eastern District 28 1 2 The federal venue statute requires that a civil action, other than one based 3 on diversity jurisdiction, be brought only in: “(1) a judicial district in which any 4 defendant resides, if all defendants are residents of the State in which the 5 district is located; (2) a judicial district in which a substantial part of the events 6 or omissions giving rise to the claim occurred . . . ; or (3) if there is no district in 7 which an action may otherwise be brought as provided in this section, any 8 judicial district in which any defendant is subject to the court’s personal 9 jurisdiction with respect to such action.” 28 U.S.C. § 1391(b). 10 Here, Judges Siebert and Craig sit in Tuolumne County, and there is no 11 reason to believe that either of them resides in the Central District of California. 12 Moreover, from Plaintiff’s description of his claims, there is no reason to think 13 that any relevant event happened in this District. Thus, there is no apparent 14 connection between the Central District of California and Plaintiff’s claims and 15 no showing that venue lies in this District based on the requirements of 28 16 U.S.C. § 1391(b). 17 Plaintiff asserts that venue is proper in this District because the “County 18 of Tuolumne cannot provide an unbiased forum due to systemic misconduct and 19 entrenched conflicts of interest.” (ECF 1 at 2.) But Plaintiff has not explained 20 why the District Court located in the Eastern District of California—the federal 21 court that covers Tuolumne

County—cannot hear his claim. In any event, these 22 allegations do not give the Court the authority to entertain this lawsuit. See 23 *Smith v. U.S. Dep’t of Educ.*, No. C 07-04885CW, 2007 WL 4357546, at *1 (N.D. 24 Cal. Dec. 11, 2007). 25 Pursuant to 28 U.S.C. § 1406(a), if venue does not properly lie in this 26 District, then the Court either must dismiss the action, or if it be in the interest 27 of justice, must transfer the action to the proper district. See *Starnes v. McGuire*, 28 1 2 it gives the parties an opportunity to be heard. *Costlow v. Weeks*, 790 F.2d 1486, 3 1488 (9th Cir. 1986). 4 The Court therefore notifies Plaintiff that it is considering transferring 5 his case to the United States District Court for the Eastern District of California 6 where venue appears to lie. No later than April 3, 2025, Plaintiff is 7 therefore ORDERED to show cause—to explain in writing—why this action 8 should not be transferred on the basis of improper venue. Failure to file a 9 timely response to this Order will result in the transfer of this action 10 for the reasons set forth above. 11 12 DATED: March 24, 2025 _____

BRIANNA FULLER MIRCHEFF

13

UNITED STATES MAGISTRATE JUDGE

14 15 16 17 18 19 20 21 22 23 24 25 26 27 28