

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gamal Soloman v. Judge Barbara M. Scheper, et al.

No. 2:24-cv-3408 DJC AC, United States District Court for the Eastern District of California (March 6, 2025)

SUMMARY

The United States District Court for the Eastern District of California ordered the transfer of Gamal Soloman’s action to the Central District of California under 28 U.S.C. § 1406(a). The court concluded that the alleged events concerning the loss and sale of plaintiff’s Woodland Hills residence occurred in Los Angeles and Orange Counties, making the Central District the proper venue.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 6, 2025
DOCKET	2:24-cv-3408 DJC AC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff's action was removed from Sacramento County Superior Court and transferred sua sponte to the United States District Court for the Central District of California for improper venue.
PRECEDENTIAL VALUE	Unknown; district court transfer order with no reporter citation.
PARTIES	Gamal Soloman v. Judge Barbara M. Scheper, et al.

TOPICS

- venue
- civil procedure
- section 1983
- title disputes
- real estate

PRACTICE AREAS

- civil procedure
- civil rights
- real estate

QUESTIONS PRESENTED

1. Whether venue was proper in the Eastern District of California.

2. Whether the action should be transferred to the Central District of California under 28 U.S.C. § 1406(a) because the action was filed in the wrong federal district.

HOLDINGS

1. Venue was improper in the Eastern District of California because the material events and property giving rise to the action were located in Los Angeles County and Orange County, which fall within the Central District of California.
2. A federal court may transfer an action filed in the wrong district to the proper district in the interest of justice, and this action was transferred to the Central District of California.

KEY QUOTATIONS

“Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States District Court for the Central District of California.” (2)

FACTUAL BACKGROUND

The action concerns the alleged loss or court-ordered sale of plaintiff’s former residence in Woodland Hills, California. The complaint appears to challenge actions or rulings by state and federal judicial actors and related entities. The relevant events and property were located in Los Angeles County and/or Orange County, and plaintiff’s listed residence was also in Los Angeles County.

PROCEDURAL HISTORY

Soloman filed a 294-page complaint in Sacramento County Superior Court, and the action was removed to the Eastern District of California on December 6, 2024. The court determined that the allegations concerned events and property located in Los Angeles and Orange Counties, making the Central District of California the proper federal venue. The court transferred the action under 28 U.S.C. § 1406(a).

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was 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)
- Soloman v. Villanueva, et al., 2022 WL 17078652 (C.D. Cal. Sept. 2, 2022)
- Soloman v. Villanueva, et al., 2024 WL 3949074 (9th Cir. Aug. 20, 2024)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 GAMAL SOLOMAN, No. 2:24-cv-3408 DJC AC 12 Plaintiff, 13 v. ORDER
14 JUDGE BARBARA M SCHEPER, et al., 15 Defendants. 16 17 Plaintiff is proceeding in pro
se; this case was removed from Sacramento County Superior 18 Court on December 6, 2024. ECF
No. 2. 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 Although plaintiff’s 294-page complaint is in large part difficult to decipher, it is clear that 27
this case arises from plaintiff’s “Loss of residence/home located” in Woodland Hills, California,
28 91367, which is located in Los Angeles County. ECF No. 1-1 at 288.

In a motion to dismiss, the 1 federal defendants explain as follows: 2 The defendants are
individuals and entities who were purportedly involved with and/or ruled against Soloman in
various judicial 3 proceedings relating to the sale of his Woodland Hills residence. Soloman
previously filed a partition lawsuit in Orange County 4 Superior Court in which he challenged the
sale of his Woodland Hills residence.

Solomon subsequently filed a 42 U.S.C § 1983 action 5 relating to the court-ordered sale of his
former residence against multiple defendants including, Los Angeles County Sheriff Alex 6
Villanueva and Deputy Sheriff Donald Steele, Berkshire Hathaway HomeServices California
Properties and Berkshire Hathaway listing 7 agent Ellen Model. 8 On September 2, 2022, United
States Magistrate Judge Karen Scott issued findings and recommendations to dismiss Soloman’s
§1983 9 action with prejudice, which were adopted in full, by the district court judge.

See Soloman v. Villanueva, et al, case No. 2:21-cv-07722- 10 JLS-KES; 2022 WL 17078652
(C.D. Cal Sept. 2, 2022). Solomon appealed to the Ninth Circuit and the Ninth Circuit affirmed in
an 11 unpublished decision from a three-judge panel consisting of Ninth Circuit Judges Johnnie B.
Rawlinson, Daniel P. Collins, and Sidney 12 R. Thomas. See Soloman v. Villanueva, et al, Ninth
Cir.

Appeal No. 22-56106 and 2024 WL 3949074 (9th Cir. Aug. 20, 2024). 13 Defendant Molly Dwyer
is the Ninth Circuit Clerk of Court and Grace Santos is a Ninth Circuit Deputy Clerk. 14
Soloman’s allegations against the federal defendants are based 15 exclusively on adverse rulings
he received from the United States Magistrate Judge and the Ninth Circuit. 16 17 ECF No. 15-1 at
15-1.

18 Plaintiff’s current address is listed as Woodland Hills, CA, 91376 in his complaint. ECF 19 No. 1-1 at 2. It appears that all incidents giving rise to this case took place in Los Angeles 20 County and/or Orange County, and that plaintiff still resides in Los Angeles County.

The proper 21 federal district court venue for Los Angeles County and Orange County is the United States Court 22 for the Central District of California. Therefore, plaintiff’s case should have been filed in the 23 United States District Court for the Central District of California.

In the interest of justice, a 24 federal court may transfer a complaint filed in the wrong district to the correct district. See 28 25 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974). 26 //// 27 //// 28 ////] Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United 2 || States District Court for the Central District of California.

3 || DATED: March 5, 2025 “ 4 AMhan—Clore ALLISON CLAIRE 5 UNITED STATES
MAGISTRATE JUDGE 6 7 8 9 10 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28