

**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)

OPINION

(PS) Soloman v. Scheper

PER CURIAM.

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—Clöre

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