

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Martin Soto v. C/OS Sgt.

Soto · No. 1:25-cv-00245-GSA (PC) · Decided March 3, 2025

OPINION

(PC) Soto v. C/OS Sgt.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

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11 MARTIN SOTO, 1:25-cv-00245-GSA (PC)

12 Plaintiff,

ORDER TRANSFERRING CASE TO THE

13 v. NORTHERN DISTRICT OF CALIFORNIA

14 C/OS SGT.,

15 Defendant. 16

17 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 18
U.S.C. § 1983. 19 The federal venue statute requires that a civil action, other than one based on
diversity 20 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if
all 21 defendants are residents of the State in which the district is located, (2) a judicial district in
which 22 a substantial part of the events or omissions giving rise to the claim occurred, or a
substantial part 23 of the property that is the subject of the action is situated, or (3) if there is no
district in which an 24 action may otherwise be brought as provided in this section, any judicial
district in which any 25 defendant is subject to the court’s personal jurisdiction with respect to
such action.” 28 U.S.C. § 26 1391(b). 27 28 In this case, none of the defendants reside in this
district. The claim arose in Monterey 1 County, which is in the Northern District of California.
Therefore, plaintiff’s claim should have 2 been filed in the United States District Court for the
Northern District of California. In the 3 interest of justice, a federal court may transfer a complaint
filed in the wrong district to the 4 correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire,
512 F.2d 918, 932 (D.C. Cir. 5 1974). 6 Accordingly, IT IS HEREBY ORDERED that this matter
is transferred to the United 7 States District Court for the Northern District of California. 8 IT IS
SO ORDERED. 9 10 Dated: February 28, 2025 /s/ Gary S. Austin

UNITED STATES MAGISTRATE JUDGE

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