

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Luis Alberto Alarcon Nava v. Gavin Newsom

Nava v. Newsom · No. 2:25-cv-0967 SCR P · Decided April 15, 2025

SUMMARY

The United States District Court for the Eastern District of California transferred Luis Alberto Alarcon Nava’s 42 U.S.C. § 1983 action to the Northern District of California. The court determined that the alleged excessive-force claim arose at the Correctional Training Facility in Soledad, California, within the Northern District.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 15, 2025
DOCKET	2:25-cv-0967 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner proceeding pro se filed a civil-rights action under 42 U.S.C. § 1983 and an application to proceed in forma pauperis. The court determined that venue was improper in the Eastern District of California and ordered the action transferred to the Northern District of California.
PRECEDENTIAL VALUE	Unknown

TOPICS

- venue
- section 1983
- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

- Civil procedure
- Civil rights
- Prisoner civil rights

QUESTIONS PRESENTED

1. Whether venue was proper in the Eastern District of California for an excessive-force claim arising at the Correctional Training Facility in Soledad, California.

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

HOLDINGS

1. Venue was improper in the Eastern District of California because the excessive-force claim arose at the Correctional Training Facility in Soledad, California, in Monterey County, within the Northern District of California.
2. The action should be transferred to the United States District Court for the Northern District of California in the interest of justice.

KEY QUOTATIONS

“In the interest of justice, a federal court may transfer a complaint filed in the wrong district to the correct district.” (at 2)

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

FACTUAL BACKGROUND

Plaintiff is a state prisoner who alleged that he was subjected to excessive force at the Correctional Training Facility in Soledad, California. The facility is located in Monterey County, which lies within the Northern District of California. Plaintiff filed the action in the Eastern District of California.

PROCEDURAL HISTORY

Plaintiff filed an excessive-force action in the Eastern District of California. Because the alleged events occurred at the Correctional Training Facility in Soledad, California, the court concluded that the claim arose in Monterey County, within the Northern District of California. The court transferred the matter to that district in the interest of justice under 28 U.S.C. § 1406(a).

DISPOSITION

other

REMAND INSTRUCTIONS

Transfer the matter to the United States District Court for the Northern District of California.

CASES CITED

- Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 LUIS ALBERTO ALARCON NAVA, No. 2:25-cv-0967 SCR P 12 Plaintiff,

13 v. ORDER 14 GAVIN NEWSOM, 15 Defendant. 16 17 Plaintiff, a state prisoner proceeding
pro se, has filed a civil rights action pursuant to 18 42 U.S.C. § 1983. Plaintiff has filed an
application to proceed in forma pauperis pursuant to 19 28 U.S.C. § 1915.

20 The federal venue statute provides that a civil action “may be brought in (1) a judicial 21
district in which any defendant resides, if all defendants are residents of the State in which the 22
district is located, (2) a judicial district in which a substantial part of the events or omissions 23
giving rise to the claim occurred, or a substantial part of property that is the subject of the action
24 is situated, or (3) if there is no district in which an action may otherwise be brought as provided
in 25 this action, any judicial district in which any defendant is subject to the court’s personal 26
jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

27 In this case, plaintiff alleges an excessive force claim that occurred at the Correctional 28
Training Facility in Soledad, California. Therefore, this claim arose in Monterey County, which 1 |
isin the Northern District of California.

Therefore, plaintiff's claim should have been filed in the 2 || United States District Court for the
Northern District of California. In the interest of justice, a 3 || federal court may transfer a
complaint filed in the wrong district to the correct district. See 4 | 28 U.S.C. § 1406(a); Starnes v.
McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974). 5 Accordingly, IT IS HEREBY ORDERED that this
matter is transferred to the United 6 || States District Court for the Northern District of California.

7 || DATED: April 14, 2025 8 9. 10 SEAN C. RIORDAN UNITED STATES MAGISTRATE
JUDGE 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28