

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

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OPINION

Nava v. Newsom

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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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 | is in 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

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