

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Caryl Danita Carby v. Central Intelligence Agency, et al.

Carby · No. 2:26-CV-0026-TOR · Decided April 8, 2026

OPINION

Carby

PER CURIAM.

1 FILED IN THE

U.S. DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

2 Apr 08, 2026

3 SEAN F. MCAVOY, CLERK

4

5 UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

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7 CARYL DANITA CARBY,

NO. 2:26-CV-0026-TOR

8 Plaintiff,

ORDER DENYING PLAINTIFF'S

9 v. MOTION TO CHANGE VENUE

AND MOTION FOR EXTENSION OF

10 CENTRAL INTELLIGENCE TIME

AGENCY, et al., 11 Defendant. 12 13 BEFORE THE COURT are Plaintiff's Motion to Change
Venue (ECF No. 14 5) and Motion for an Extension of Time to Serve (ECF No. 6). These matters
were 15 submitted for consideration without oral argument. The Court has reviewed the 16 record
and files herein and is fully informed. For the reasons discussed below, 17 Plaintiff's Motion to
Change Venue (ECF No. 5) and Motion for an Extension of 18 Time to Serve (ECF No. 6) are
DENIED.

19 Under 28 U.S.C. § 1404, a party may move to transfer venue. "Under §

20 1404(a), the district court has discretion 'to adjudicate motions for transfer 1 according to an
individualized, case-by-case consideration of convenience and 2 fairness.'" Jones v. GNC
Franchising, Inc., 211 F.3d 495, 498 (9th Cir. 2000) 3 (quoting Stewart Org. v. Ricoh Corp., 487
U.S. 22, 29 (1988)) (internal quotations 4 omitted). The court must consider multiple factors when
determining whether 5 transfer is appropriate. Jones, 211 F.3d at 498. 6 Plaintiff used a Ninth

Circuit motion for extension of time form to request a 7 change of venue. ECF No. 5. Plaintiff does not appear to argue that venue is 8 improper, however, the writing on the form is difficult to understand. ECF No. 5. 9 It is unclear whether Plaintiff is requesting an extension to file a motion to change 10 venue or wishes to file the motion itself. Id. For the former, Plaintiff neither 11 makes any arguments nor identifies an alternative venue for transfer. Id. For the 12 latter, the Court does not understand why an extension to file a motion to transfer 13 venue is warranted. Regardless, this motion cannot be granted because the 14 requested relief is unclear and likely unnecessary. 15 Federal Rule of Civil Procedure 4(m) provides that a plaintiff has 90 days to 16 serve a complaint and summons on the opposing party from the date the complaint 17 is filed. FED. R. CIV. P. 4(m). Plaintiff requests a new due date of March 31, 2026. 18 ECF No. 6. Plaintiff filed her complaint on January 16, 2026. ECF No. 1. 19 Therefore, Plaintiff has until April 16, 2026, to properly serve Defendants. As a 20 result, this motion is unnecessary because Plaintiff has longer than her requested deadline to properly serve Defendants. 21

ACCORDINGLY, IT IS HEREBY ORDERED: 3 1. Plaintiffs Motion to Change Venue (ECF No. 5) is DENIED. 4 2. Plaintiffs Motion for an Extension of Time (ECF No. 6) is DENIED. 5 The District Court Executive is directed to enter this Order and furnish copies to Plaintiff. 7 DATED April 8, 2026. <> United States District Judge 10 11 12 13 14 15 16 17 18 19 20

ORDER DENYING PLAINTIFF'S MOTION TO CHANGE VENUE AND