

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
NEW YORK

Ruth Sims v. Rochester Police; Deputy Newton; Internal Revenue  
Service; Social Security Administration

Sims · No. 1:25-CV-9360 (LTS) · Decided January 14, 2026

SUMMARY

The United States District Court for the Southern District of New York transfers Ruth Sims’s pro se action to the Western District of New York. The court concludes that Rochester, New York is the proper and more convenient venue for claims against the Rochester Police Department, Deputy Newton, the Internal Revenue Service, and the Social Security Administration, under 28 U.S.C. §§ 1391, 1402, and 1404. The court also denies in forma pauperis status for any appeal and closes the action in the transferring court.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Southern District of New York                                                                                                                                                                                                                                                          |
| WRITING FOR THE COURT | Laura Taylor Swain                                                                                                                                                                                                                                                                                                          |
| JURISDICTION          | United States District Court for the Southern District of New York                                                                                                                                                                                                                                                          |
| DECIDED               | January 14, 2026                                                                                                                                                                                                                                                                                                            |
| DOCKET                | 1:25-CV-9360 (LTS)                                                                                                                                                                                                                                                                                                          |
| DISPOSITION           | remanded                                                                                                                                                                                                                                                                                                                    |
| PROCEDURAL POSTURE    | Plaintiff filed a pro se civil action in the Southern District of New York asserting federal-question and diversity jurisdiction and claims under 42 U.S.C. § 1983, state law, and the Federal Tort Claims Act. The court transferred the action to the Western District of New York for improper or less convenient venue. |
| STANDARD OF REVIEW    | Venue and transfer determinations under 28 U.S.C. § 1404(a) are committed to the district court's broad discretion and are assessed case by case based on convenience, fairness, and the totality of the circumstances.                                                                                                     |
| PRECEDENTIAL VALUE    | Unpublished district court transfer order; generally nonprecedential.                                                                                                                                                                                                                                                       |
| PARTIES               | Ruth Sims v. Rochester Police, Deputy Newton, Internal Revenue Service, Social Security Administration                                                                                                                                                                                                                      |

## TOPICS

venue civil procedure section 1983 government liability

## PRACTICE AREAS

Civil procedure Federal courts Civil rights Federal Tort Claims Act

## QUESTIONS PRESENTED

1. Whether the Western District of New York was a proper venue for Sims's claims against the Rochester Police Department and Deputy Newton under 42 U.S.C. § 1983 and state law.
2. Whether the Western District of New York was a proper venue for Sims's Federal Tort Claims Act claims against the Internal Revenue Service and Social Security Administration.
3. Whether transfer to the Western District of New York was appropriate under 28 U.S.C. § 1404(a).

## HOLDINGS

1. The Western District of New York appeared to be a proper venue under 28 U.S.C. § 1391(b)(2) because a substantial portion of the events underlying the § 1983 and state-law claims occurred in Rochester, Monroe County.
2. The Western District of New York appeared to be a proper venue for Sims's FTCA claims because the alleged acts or omissions occurred there and Sims appeared to reside there.
3. Transfer of the action to the Western District of New York was appropriate under 28 U.S.C. § 1404(a).

## KEY QUOTATIONS

*“Under Section 1404(a), transfer appears to be appropriate for this action.”* (Discussion)

*“The Court directs the Clerk of Court to transfer this action to the United States District Court for the Western District of New York.”* (Conclusion)

## FACTUAL BACKGROUND

Ruth Sims, proceeding pro se while being treated at the Central New York Psychiatric Center, sought recovery of alleged unclaimed funds associated with the Social Security Administration. She named the Rochester Police Department, Monroe County Deputy Sheriff Newton, the Internal Revenue Service, and the Social Security Administration as defendants. The alleged events and property-related conduct principally concerned Rochester, Monroe County, New York, within the Western District of New York.

## PROCEDURAL HISTORY

Sims commenced the action in the Southern District of New York. The court concluded that Rochester, Monroe County, New York, was the location of the alleged events and the likely location of relevant witnesses and documents, making the Western District of New York a proper and more convenient venue. The court ordered transfer under 28 U.S.C. § 1404(a), closed the action in the Southern District, and left any determination concerning in forma pauperis status to the transferee court.

## DISPOSITION

remanded

## REMAND INSTRUCTIONS

The Clerk of Court was directed to transfer the action to the United States District Court for the Western District of New York. The transferee court was to determine whether Sims could proceed without prepayment of fees. Summonses were not to issue from the Southern District of New York, and the action was closed there.

## CASES CITED

- Keitt v. N.Y. City, 882 F. Supp. 2d 412, 458-59 (S.D.N.Y. 2011)
- N.Y. Marine and Gen. Ins. Co. v. LaFarge No. Am., Inc., 599 F.3d 102, 112 (2d Cir. 2010)
- D.H. Blair & Co. v. Gottdiener, 462 F.3d 95, 106 (2d Cir. 2006)
- Coppedge v. United States, 369 U.S. 438, 444-45 (1962)

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