

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Wilbur Lann Pittman v. M. Hagemann, et al.

Pittman v. Hagemann · No. 1:26-cv-00110-BAM (PC) · Decided January 13, 2026

SUMMARY

The United States District Court for the Eastern District of California transferred Wilbur Lann Pittman’s 42 U.S.C. § 1983 action to the Southern District of California. The court concluded that the claims appeared to have arisen in San Diego County and ordered the transfer under 28 U.S.C. § 1406(a).

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 13, 2026
DOCKET	1:26-cv-00110-BAM (PC)
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se, filed an action under 42 U.S.C. § 1983 in the Eastern District of California. The court determined that venue appeared proper in the Southern District of California and transferred the case under 28 U.S.C. § 1406(a).
PRECEDENTIAL VALUE	Nonprecedential district-court transfer order

TOPICS

- venue
- section 1983
- civil procedure

PRACTICE AREAS

- Civil procedure
- Civil rights
- Federal jurisdiction and venue

QUESTIONS PRESENTED

- Whether venue was proper in the Eastern District of California under 28 U.S.C. § 1391(b).

2. Whether the court should transfer the action to the Southern District of California under 28 U.S.C. § 1406(a) because the claims appeared to arise there.

HOLDINGS

1. Because the claims appeared to have arisen in San Diego County, the proper venue was the Southern District of California rather than the Eastern District of California.
2. The action should be transferred to the United States District Court for the Southern District of California in the interest of justice.

KEY QUOTATIONS

“The federal venue statute requires that a civil action, other than one based in diversity jurisdiction, be brought only in “(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.”” (at 1)

FACTUAL BACKGROUND

Wilbur Lann Pittman, a state prisoner proceeding pro se, filed a civil-rights action under 42 U.S.C. § 1983. The court stated that the claims appeared to have arisen in San Diego County, California. Because San Diego County is in the Southern District of California, the court determined that the action should have been filed there.

PROCEDURAL HISTORY

Pittman filed a civil-rights complaint against M. Hagemann and other defendants. The Eastern District of California concluded that the claims appeared to have arisen in San Diego County, within the Southern District of California, and ordered the action transferred in the interest of justice.

DISPOSITION

remanded

REMAND INSTRUCTIONS

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

CASES CITED

- Ravelo Monegro v. Rosa, 211 F.3d 509, 512 (9th Cir. 2000)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 WILBUR LANN PITTMAN, Case No. 1:26-cv-00110-BAM (PC) 12
Plaintiff, ORDER TRANSFERRING CASE TO THE SOUTHERN DISTRICT OF CALIFORNIA
13 v. 14 M. HAGEMANN, et al., 15 Defendants. 16 17 Plaintiff Wilbur Lann Pittman
("Plaintiff"), a state prisoner proceeding pro se, has filed a 18 civil rights action pursuant to 42
U.S.C. § 1983.

(ECF No. 1.) 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 in which 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 In this case, the claims appear to have arisen in San Diego County, which is in the 28 Southern
District of California. Therefore, Plaintiff's claims should have been filed in the United 1 States
District Court for the Southern District of California.

In the interest of justice, a federal 2 court may transfer a complaint filed in the wrong district to the
correct district. See 28 U.S.C. § 3 1406(a); *Ravelo Monegro v. Rosa*, 211 F.3d 509, 512 (9th Cir.
2000). 4 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United 5
States District Court for the Southern District of California. 6 IT IS SO ORDERED.

7 8 Dated: January 13, 2026 /s/ Barbara A. McAuliffe _ UNITED STATES MAGISTRATE
JUDGE 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28