

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Mario Mirabal v. Deutsche Bank National Trust Co., et al.

Mirabal · No. 25-cv-7418, 25-cv-7423, 25-cv-7419 · Decided December 19, 2025

SUMMARY

The court overruled Plaintiff Mario Mirabal’s objections to a magistrate judge’s order transferring three related foreclosure-related cases from the Southern District of New York to the Southern District of Florida under 28 U.S.C. § 1404(a). The court held that the transfer order was neither clearly erroneous nor contrary to law, emphasizing that the subject property, relevant events, parties, and applicable Florida law were principally connected to Florida.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Lewis J. Liman
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	December 19, 2025
DOCKET	25-cv-7418, 25-cv-7423, 25-cv-7419
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff objected under Federal Rule of Civil Procedure 72(a) to a magistrate judge's order transferring three related actions to the United States District Court for the Southern District of Florida under 28 U.S.C. § 1404(a). The district court overruled the objections.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(a), a district judge may modify or set aside a magistrate judge's nondispositive order only if the order is clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	unpublished district court memorandum and order
PARTIES	Mario Mirabal v. Deutsche Bank National Trust Co., et al.

TOPICS

- venue
- civil procedure
- foreclosure
- real estate
- personal jurisdiction

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the magistrate judge properly treated the venue-transfer motion under 28 U.S.C. § 1404(a) as a nondispositive matter subject to review under Federal Rule of Civil Procedure 72(a).
2. Whether the order transferring the three related actions from the Southern District of New York to the Southern District of Florida was clearly erroneous or contrary to law.
3. Whether the private and public interest factors under 28 U.S.C. § 1404(a) favored transfer to the Southern District of Florida.

HOLDINGS

1. A motion to transfer venue under 28 U.S.C. § 1404(a) is a nondispositive motion that may be decided by a magistrate judge.
2. The magistrate judge's order transferring the actions to the Southern District of Florida was neither clearly erroneous nor contrary to law.
3. The private and public interest factors favored transfer to the Southern District of Florida.

KEY QUOTATIONS

“The objections are overruled.”

“It is neither clearly erroneous nor contrary to law.”

FACTUAL BACKGROUND

The actions concern state-court foreclosure proceedings involving real property located in Florida. Plaintiff is a Florida resident, and most named defendants appear to be located in Miami; none of the defendants had been served. A substantial portion of the events underlying the claims occurred in Florida, while the Southern District of New York had no meaningful connection to the disputes.

PROCEDURAL HISTORY

Magistrate Judge Wang ordered the three related cases transferred from the Southern District of New York to the Southern District of Florida for convenience of the parties and witnesses and in the interest of justice. Plaintiff filed objections to the transfer order. District Judge Liman reviewed the order under the clearly erroneous or contrary to law standard and upheld the transfer.

DISPOSITION

other

CASES CITED

- RBG Mgmt. Corp. v. Vill. Super Mkt., Inc., 2024 WL 50239, at *1 n.1 (S.D.N.Y. Jan. 4, 2024)

- *Mulgrew v. United States Dep't of Transportation*, 717 Supp. 3d 281, 284 (E.D.N.Y. 2024)
- *Moeller-Bertram v. Gemini Tr. Co., LLC*, 2024 WL 1860061, at *2 (S.D.N.Y. Apr. 29, 2024)
- *Keitt v. N.Y. City*, 882 F. Supp. 2d 412, 459-60 (S.D.N.Y. 2011)
- *N.Y. Marine & Gen. Ins. Co. v. Lafarge N. Am., Inc.*, 599 F.3d 102, 112 (2d Cir. 2010)
- *NYC Vision Cap., Inc. v. C21FC, LLC*, 2022 WL 2527611, at *2 (S.D.N.Y. July 7, 2022)
- *Wistron Neweb Corp. v. Genesis Networks Telecom Servs., LLC*, 2022 WL 17067984, at *6 (S.D.N.Y. Nov. 17, 2022)

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