

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. 5:18-cv-0077-PA (KES)

Date: January 18, 2018

Title: MICHAEL JOHN JACOMET v. NANCY A. BERRYHILL

PRESENT:

THE HONORABLE KAREN E. SCOTT, U.S. MAGISTRATE JUDGE

Jazmin Dorado
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR
DEFENDANT:
None Present

**PROCEEDINGS (IN CHAMBERS): Order to Show Cause Why Case Should
Not Be Transferred For Improper Venue**

On January 12, 2018, Plaintiff Michael John Jacomet (“Plaintiff”) filed the above-captioned action in this Court. Plaintiff seeks review of the Commissioner’s denial of his application for disability benefits. In his complaint, Plaintiff alleges that because he is a resident of Riverside County, venue is proper in the Central District of California. (Dkt. 1 ¶¶ 1-2.)

Plaintiff, however, signed the declaration supporting his in forma pauperis application on January 10, 2018 (i.e., before the complaint was filed) in Butte County, California. (Dkt. 3.) Butte County cases are properly venued in the Eastern District of California. 28 U.S.C. § 84(b).

Federal law is clear on the issue of venue: a claimant aggrieved by the Commissioner’s administrative decision must file suit in the judicial district in which he or she resides or has a principal place of business. 42 U.S.C. § 405(g). If a claimant files in the wrong district, then the Court may transfer venue to the proper district.

Accordingly, IT IS HEREBY ORDERED that on or before January 31, 2018, Plaintiff shall show cause in writing why this case should not be transferred to the Eastern District of California. Plaintiff’s response should include a declaration setting forth his county of residence at the time he filed the complaint in this matter.

Initials of Deputy Clerk JD