

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 MARCO MARROQUIN, 1:11-cv-00178-SMS (PC)  
12 Plaintiff, ORDER TRANSFERRING CASE TO THE  
13 vs. NORTHERN DISTRICT OF CALIFORNIA  
14 B. GOODMAN, et al.,  
15 Defendants.

17 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to  
18 42 U.S.C. § 1983. The federal venue statute requires that a civil action, other than one based on  
19 diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all  
20 defendants reside in the same state, (2) a judicial district in which a substantial part of the events or  
21 omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of  
22 the action is situated, or (3) a judicial district in which any defendant may be found, if there is no  
23 district in which the action may otherwise be brought.” 28 U.S.C. § 1333(b).

24 In this case, none of the defendants reside in this district. The claim arose in Monterey  
25 County, which is in the Northern District of California. Therefore, plaintiff's claim should have  
26 been filed in the United States District Court for the Northern District of California. In the interest  
27 of justice, a federal court may transfer a complaint filed in the wrong district to the correct district.

28 See 28 U.S.C. § 1406(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir. 1974).

Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States District Court for the Northern District of California.

## 4 || IT IS SO ORDERED.

**Dated:** February 9, 2011

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE