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

LISA MARIE MITCHELL,	)	Case No.: 1:11-cv-01275 JLT
Plaintiff,	)	
v.	)	ORDER TRANSFERRING CASE TO THE
	)	UNITED STATES DISTRICT COURT FOR
MICHAEL J. ASTRUE,	)	THE CENTRAL DISTRICT OF CALIFORNIA
Commissioner of Social Security,	)	
Defendant.	)	

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Plaintiff Lisa Marie Mitchell (“Plaintiff”) initiated this action on August 1, 2011 by filing a complaint seeking review of decision denying Social Security benefits. (Doc. 2).

When a plaintiff seeks review of a final decision of the Commissioner of Social Security, “[s]uch action shall be brought in the district court of the United States for the judicial district in which the plaintiff resides.” 42 U.S.C. § 405(g). In the Complaint, Plaintiff asserts venue is proper because she “is a resident of Paso Robles, California.” (Doc. 2 at 1). However, the city of Paso Robles is within San Luis Obispo County, located within the Central District of California. Plaintiff’s counsel, Mr. Weems, reports he filed the action in the Eastern District due to an “erroneous belief at the time of the preparation of the Complaint that Paso Robles was within Kern County, California. (Doc. 9 at 1).

Because Plaintiff resides in the Central District of California, the action for review of the Commissioner’s decision should have been filed in the United States District Court for the Central

1 District of California. Plaintiff admits transfer of the action is “appropriate for the convenience of  
2 the parties.” (Doc. 9 at 2). In the interest of justice, a federal court may transfer a case filed in the  
3 wrong district to the correct district. *See* 28 U.S.C. § 1460(a); *Starnes v. McGuire*, 512 F.2d 918,  
4 932 (D.C. Cir. 1974).

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

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8 IT IS SO ORDERED.

9 Dated: November 23, 2011

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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