

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

11 RICHARD OWENS, 1:13-cv-00760-BAM (PC)

12 Plaintiff, ORDER TRANSFERRING CASE TO THE
CENTRAL DISTRICT OF CALIFORNIA

13 || vs.

14 || MUKORO,

Defendant.

17 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42
18 U.S.C. § 1983.

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 a
22 substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of
23 property that is the subject of the action is situated; or (3) if there is no district in which an action
24 may otherwise be brought as provided in this section, any judicial district in which any defendant is
25 subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1331(b).

26 In this case, the defendant does not reside in this district. The claim arose in Los Angeles
27 County, which is in the Central District of California. Therefore, plaintiff's claim should have been
28 filed in the United States District Court for the Central District of California. In the interest of

1 justice, a federal court may transfer a complaint filed in the wrong district to the correct district. See
2 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

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

5 IT IS SO ORDERED.

6 Dated: May 24, 2013

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE

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