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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 RICHARD OWENS,

1:13-cv-00760-BAM (PC)

12 Plaintiff,

ORDER TRANSFERRING CASE TO THE  
CENTRAL DISTRICT OF CALIFORNIA

13 vs.

14 MUKORO,

15 Defendant.  
16 \_\_\_\_\_/

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. § 1391(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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