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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	FREDERICK BANKS,	No. 1:17-cv-00856-DAD-SKO
12	Plaintiff,	
13	v.	ORDER DISMISSING COMPLAINT SUA SPONTE FOR IMPROPER VENUE
14	ADRIAN ROE et al.,	SI ONTE FOR IVII ROLER VENUE
15	Defendants.	
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17	Plaintiff Frederick Banks, a prisoner currently confined at the Northeast Ohio Correctional	
18	Center in Youngstown, Ohio, commenced this action on June 22, 2017. According to his	
19	complaint, plaintiff alleges various acts of misconduct on the part of at least nine defendants,	
20	primarily relating to his criminal prosecution in the United States District Court for the Western	
21	District of Pennsylvania. (See Doc. No. 1.)	
22	A district court may dismiss a complaint <i>sua sponte</i> for improper venue. <i>Costlow v</i> .	
23	Weeks, 790 F.2d 1486, 1488 (9th Cir. 1986). Under the venue statute applicable to civil actions	
24	not solely based on diversity jurisdiction, such an action must be brought in	
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26	¹ Plaintiff's complaint appears to be substantially identical to complaints filed on his behalf in district courts throughout the country. <i>See, e.g., Banks v. Roe</i> , No. 1:17-cv-01492-GPG (D.Colo.) (filed June 29, 2017); <i>Banks v. Roe</i> , No. 2:17-cv-06054-MLCF-MBN (E.D. La.) (filed June 19, 2017); <i>Banks v. Roe</i> , No. 6:17-cv-00371-RC-JDL (E.D. Tex.) (filed June 19, 2017); <i>Banks v. Roe</i> ,	
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28	No. 1:17-cv-00744-TSE-MSN (E.D. Va.) (fil	led June 29, 2017).
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1 2	 a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; 	
3	(2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or	
5	(3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.	
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8	28 U.S.C. § 1391(b).	
9	Here, venue in the United States District Court for the Eastern District of California is	
10	improper. From the face of the complaint, none of the defendants reside in California; most	
11	appear to be located in Pennsylvania. Moreover, none of the events giving rise to plaintiff's	
12	allegations appear to have occurred in the Eastern District of California. Finally, the court	
13	concludes that this action may be brought in at least one other judicial district, namely in the	
14	Western District of Pennsylvania.	
15	Accordingly,	
16	1. Venue in United States District Court for the Eastern District of California is	
17	improper;	
18	2. Plaintiff's complaint is dismissed without prejudice; and	
19	3. The Clerk of the Court is directed to close this case.	
20	IT IS SO ORDERED.	
21	Dated: July 10, 2017	
22	UNITED STATES DISTRICT JUDGE	
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