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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

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WENCELAUS CHRISTOPHER
CASTRO,
Plaintiff,
v.
CDCR,
Defendant.

Case No. 1:25-cv-00269-BAM (PC)
ORDER TRANSFERRING CASE TO THE
NORTHERN DISTRICT OF CALIFORNIA

17 Plaintiff Wencelaus Christopher Castro (“Plaintiff”), a state prisoner proceeding *pro se*,
18 has filed a civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1.)

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 where any defendant resides, if all
21 defendants are residents of the State in which the district is located, (2) a judicial district in which
22 a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part
23 of the property that is the subject of the action is situated, or (3) if there is no district in which an
24 action may otherwise be brought as provided in this section, any judicial district in which any
25 defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C.
26 § 1333(b).

27 In this case, the defendant does not appear to reside in this district. The claims appear to
28 have arisen in Marin County, which is in the Northern District of California. Therefore,

1 Plaintiff's claim should have been filed in the United States District Court for the Northern
2 District of California. In the interest of justice, a federal court may transfer a complaint filed in
3 the wrong district to the correct district. *See* 28 U.S.C. § 1406(a); *Ravelo Monegro v. Rosa*, 211
4 F.3d 509, 512 (9th Cir. 2000).

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

7 IT IS SO ORDERED.
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9 Dated: March 5, 2025

10 /s/ *Barbara A. McAuliffe*
11 UNITED STATES MAGISTRATE JUDGE

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