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

GEORGE SOEHNGEN,

Plaintiff,

No. CIV S-06-2050 MCE KJM PS

vs.

ROBERT WOOLRIDGE, et al.,

Defendants.

ORDER

_____/

Plaintiff is proceeding in this action pro se. Although plaintiff alleges diversity as a basis of jurisdiction, there is no apparent diversity of parties evident in the complaint. Plaintiff also alleges this action is brought under 42 U.S.C. § 1983. The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in "(1) a judicial district where any defendant resides, if all defendants reside in the same State, (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 (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought." 28 U.S.C. § 1391(b).

In this case, the action involves claims related to property located in Martinez, California, which is in the Northern District of California. Therefore, plaintiff's claim should

1 have been filed in the United States District Court for the Northern District of California. In the
2 interest of justice, a federal court may transfer a complaint filed in the wrong district to the
3 correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir.
4 1974).

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

7 DATED: October 2, 2006.

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10 UNITED STATES MAGISTRATE JUDGE
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