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

10 JOHN HENRY GUYTON,

11 Plaintiff,

No. CIV S-07-1132 LEW GGH P

12 vs.

13 CASTELL, et al.,

14 Defendants.

ORDER

15 \_\_\_\_\_/  
16 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant  
17 to 42 U.S.C. § 1983. The federal venue statute requires that a civil action, other than one based  
18 on diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if  
19 all defendants reside in the same State, (2) a judicial district in which a substantial part of the  
20 events or omissions giving rise to the claim occurred, or a substantial part of property that is the  
21 subject of the action is situated, or (3) a judicial district in which any defendant may be found, if  
22 there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

23 In this case, none of the defendants reside in this district. The claim arose in Del  
24 Norte County, which is in the Northern District of California. Therefore, plaintiff’s claim should  
25 have been filed in the United States District Court for the Northern District of California. In the  
26 interest of justice, a federal court may transfer a complaint filed in the wrong district to the

1 correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir.  
2 1974).

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

5 DATED: 6/27/07

/s/ Gregory G. Hollows

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7 GREGORY G. HOLLOWS  
UNITED STATES MAGISTRATE JUDGE

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