

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

ROY REID,

Plaintiff, No. CIV S-10-1545 MCE KJM PS

VS.

CALPATRIA STATE PRISON, et al.,

Defendants. ORDER

Plaintiff is proceeding in this action pro se. 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. § 13391(b).

In this case, the defendants are located in the Southern District of California, and a substantial part of the events giving rise to the claim occurred in that district. Therefore, plaintiff's claim should have been filed in the United States District Court for the Southern District of California. In the interest of justice, a federal court may transfer a complaint filed in

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

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

5 DATED: June 25, 2010.

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U.S. MAGISTRATE JUDGE