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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TONY ZAMORA,  
Plaintiff,  
v.  
NAPA STATE HOSPITAL,  
Defendant.

No. 2:14-cv-2945 DAD P

ORDER

Plaintiff is currently detained at Napa State Hospital and has filed a brief hand-written document styled “1983 Federal Complaint.” Plaintiff has not filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

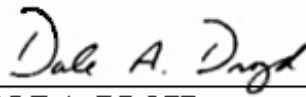
The federal venue statute provides that a civil action “may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) if there is no district in which an action may otherwise be brought as provided in this action, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

In this case, plaintiff complains that Napa State Hospital officials are refusing to administer a competency test to him, which he needs in order to face domestic violence charges

1 pending against him in the Sacramento County Superior Court. The complaint contains no  
2 allegations against Sacramento County officials nor does it allege any conduct occurring in  
3 Sacramento County. If plaintiff has any cognizable constitutional claims, they will have arisen in  
4 Napa County, which is in the Northern District of California. Therefore, plaintiff's complaint  
5 should have been filed in the United States District Court for the Northern District of California.  
6 In the interest of justice, a federal court may transfer a complaint filed in the wrong district to the  
7 correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir.  
8 1974).

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

11 Dated: January 8, 2015

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14 DALE A. DROZD  
15 UNITED STATES MAGISTRATE JUDGE

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