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

JOHN JOSEPH SCROFANI,

Plaintiff,

vs.

JUDGE RONALD COEN, JUDGE  
STEVEN OGDEN,

Defendants.

) No. C 09-5856 JSW (PR)

) **ORDER OF TRANSFER**

) (Docket Nos. 2, 4)

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Plaintiff, a California prisoner incarcerated at the Correctional Training Facility in Soledad, California, has filed this civil rights action under 42 U.S.C. § 1983 against two state court judges who apparently presided over criminal proceedings against him in San Fernando, California and Lancaster, California. Both San Fernando, California and Lancaster, California are located within Los Angeles County, which is within the venue of the United States District Court for the Central District of California.

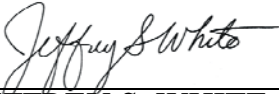
When jurisdiction is not founded solely on diversity, venue is proper in the district in which (1) any defendant resides, if all of the defendants reside in the same state, (2) the district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part 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). Where a case is filed in the wrong venue, the district court has the discretion either to dismiss the case or transfer it to the proper federal court “in the interest of justice.” 28 U.S.C. § 1406(a). Venue may be raised by the court sua sponte where the defendant has not yet

1 filed a responsive pleading and the time for doing so has not run. *Costlow v. Weeks*, 790  
2 F.2d 1486, 1488 (9th Cir. 1986).

3 Plaintiff brings his claims involving events that occurred and Defendants who  
4 reside within the venue of the Central District of California. *See* 28 U.S.C. § 84.  
5 Accordingly, IT IS ORDERED in the interest of justice, and pursuant to 28 U.S.C. §  
6 1406(a), that this action be TRANSFERRED to the United States District Court for the  
7 Central District of California. In light of the transfer, this Court will not decide  
8 Plaintiff's pending motions (docket nos. 2, 4). The Clerk of the Court shall transfer this  
9 matter forthwith.

10 IT IS SO ORDERED.

11 DATED: January 6, 2010

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14 JEFFREY S. WHITE  
15 United States District Judge  
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1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 JOHN JOSEPH SCROFANI,  
6 Plaintiff,  
7

Case Number: CV09-05856 JSW

**CERTIFICATE OF SERVICE**

8 v.


9 RONALD COEN et al,  
10 Defendant.  
\_\_\_\_\_ /

11  
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

13 That on January 6, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing  
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery  
16 receptacle located in the Clerk's office.

17 John Joseph Scrofani  
18 P.O. Box 689  
19 P24910  
20 Soledad, CA 93960

21 Dated: January 6, 2010

  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk