

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

JOSEPH N. MAIOLA,
Plaintiff,

v.

GREATER BALTIMORE MEDICAL
CENTER,
Defendant.

Case No. 20-cv-06025-LB

SCREENING ORDER

Re: ECF No. 1

The plaintiff Joseph Maiola, who represents himself and is proceeding *in forma pauperis*, sued the Greater Baltimore Medical Center, located in Maryland, for the alleged switching of Mr. Maiola’s baby in 1978.¹ Before directing the United States Marshal to serve the defendant with the plaintiff’s complaint, the court must screen it for minimal legal viability. 28 U.S.C. § 1915(e)(2)(B). The court transfers the case to the District of Maryland for lack of venue in the Northern District of California.

Mr. Maiola’s complaint reiterates his charges in his complaint in his previous lawsuit. *Maiola v. Greater Baltimore Medical Center*, No. 3:19-cv-05946-LB (N.D. Cal. Sept. 23, 2019). The court attaches its previous screening order, which summarizes the underlying facts and the

¹ Compl. – ECF No. 1 at 7–8. Citations refer to material in the Electronic Case File (“ECF”); pinpoint citations are to the ECF-generated page numbers at the top of documents.

1 applicable law.² After issuing an order to show cause, this court transferred the earlier case to the
2 District of Maryland because (1) all of the events apparently occurred in Maryland, and venue was
3 there, and (2) there was no personal jurisdiction over the defendant.³ After the transfer, the district
4 court in Maryland dismissed Mr. Maiola’s claims without prejudice for failure to state a claim and
5 closed the case.⁴ Mr. Maiola’s current complaint attaches various documents that he filed with the
6 District of Maryland.⁵

7 For the reasons set forth in the court’s previous screening and transfer orders, venue is
8 improper here, and the court lacks personal jurisdiction over the defendant.⁶ The court thus
9 transfers the case to the District of Maryland.

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11 **IT IS SO ORDERED.**

12 Dated: September 11, 2020



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14 LAUREL BEELER
15 United States Magistrate Judge
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25 ² Order, No. 3:19-cv-05946-LB (N.D. Cal.) – ECF No. 11.

26 ³ *Id.*, Order – ECF No. 19. The court also attaches its previous transfer order.

27 ⁴ *Id.*, No. 1:19-cv-03507-SAG (D. Md.), Order – ECF No. 70.

28 ⁵ Compl. – ECF No. 1 at 11–59.

⁶ Orders, No. 3:19-cv-05946-LB (N.D. Cal.) – ECF Nos. 11, 19.