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

ROBERTO CHAIDEZ,

1:08-cv-00185 LJO GSA (PC)

Plaintiff,

vs.

ORDER TRANSFERRING CASE TO THE
SOUTHERN DISTRICT OF CALIFORNIA

THE STATE OF CALIFORNIA OF
CORRECTIONS AND REHABILITATION,
et al.,

Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983.

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 the 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).

In this case, only four of the eighteen defendants – the California Department of Corrections and Rehabilitation, N. Grannis, Corcoran State Prison, and T. Scott – reside in this district. The claim arose, and nearly all of the events at issue occurred, in San Diego County, which is in the

1 Southern District of California. It is clear from a review of the complaint that the center of gravity of
2 this case is in the Southern District of California, and that any relationship with this district is
3 minimal. For that reason, the case will be transferred to the Southern District of California. In the
4 interest of justice, a federal court may transfer a complaint filed in the wrong district to the correct
5 district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

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

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9 IT IS SO ORDERED.

10 Dated: November 5, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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