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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN R. DEMOS,

Plaintiff,

vs.

THE UNITED STATES, *et al.*,

Defendants.

3:10-cv-00583-ECR-VPC

ORDER

Plaintiff is a prisoner in custody in Washington and has submitted an incomplete application to proceed *in forma pauperis* along with a document styled "Admiralty Complaint" (docket #s 1, 1-1).

Plaintiff brings this action against the United States, the State of Washington, the District of Columbia, and additionally names the United States of America and Washington, D.C. Plaintiff alleges that he "was made the booty, and the prize, by "pirates" disguised as Washington state law enforcement officers," and also claims violations of several rights including to a speedy trial, to confront his accusers, and to be free from double jeopardy. He further claims he received inadequate medical treatment while in the custody of pirates.

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, none of the defendants reside in the District of Nevada, and plaintiff is an inmate in Aberdeen, Washington. Any events giving rise to the claim apparently occurred in Washington. Aberdeen, Washington is located in the Western District of Washington. Therefore, plaintiff's complaint should have been filed in a United States District Court for the Western District of Washington. In the interests of justice, a federal court may transfer a complaint filed in the wrong district to the correct district. *See* 28 U.S.C. § 1406(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir. 1974).

IT IS THEREFORE ORDERED that this matter is transferred to the United States District Court for the Western District of Washington.

DATED this 23rd day of September, 2010.

Valerie P. Parker
UNITED STATES MAGISTRATE JUDGE