UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

RICARDO MARTINEZ,

Plaintiff,

v.

RAHSIDA PARWEEM, et al.,

Defendants.

Case No. 26-cv-07147-SVK

ORDER OF TRANSFER

Plaintiff is a California prisoner at the California Substance Abuse Training Facility ("CSATF") who filed this pro se civil rights complaint under 42 U.S.C. Section 1983. The complaint concerns events that took place at CSATF. Defendants are located at CSATF, in Elk Grove, California, or at the California Department of Corrections and Rehabilitation in Sacramento, California.

Venue may be raised by a federal court *sua sponte* where, as here, a defendant has not yet filed a responsive pleading and the time for doing so has not run. *Costlow v. Weeks*, 790 F.2d 1486, 1488 (9th Cir. 1986). Venue generally is proper in a judicial district in which: (1) any defendant resides, if all defendants are residents of the state in which the district is located; (2) 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) any defendant is subject to the court's personal jurisdiction, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b).

This judicial district is not the proper venue for this case because the Defendants reside in and the events giving rise to Plaintiff's claims occurred in Elk Grove and Sacramento, which lie the venue of the Eastern District of California. 28 U.S.C. § 84. 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

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federal court "in the interest of justice." 28 U.S.C. § 1406(a). In the interests of justice, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California pursuant to 28 U.S.C. § 1406(a) because that is the proper venue for this case under 28 U.S.C. § 1391(b)(2).

The Clerk shall transfer this matter forthwith.

SO ORDERED.

Dated: July 27, 2026

Susan van Keulen
United States Magistrate Judge

United States District Court
Northern District of California