

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID GERRITY,

Plaintiff,

v.

CITY OF SANTA BARBARA,

Defendant.

No. 2:23-cv-00784-DJC-AC

ORDER

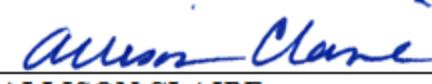
Plaintiff, who is proceeding in pro se, filed a complaint and paid the filing fee. ECF No. 1. The federal venue statute provides that a civil action “may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located, (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 property that is the subject of the action is situated, or (3) if there is no district in which an action may otherwise be brought as provided in this action, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 13391(b).

In this case, the claim arose in Santa Barbara, California, which is in the Central District of California. The plaintiff and all defendants are located within Santa Barbara County, California. Therefore, plaintiff’s claim should have been filed in the United States District Court for the Central District of California. In the interest of justice, a federal court may transfer a

1 complaint filed in the wrong district to the correct district. 28 U.S.C. § 1406(a); Starnes v.
2 McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

3 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the Western
4 Division of the United States District Court for the Central District of California.

5 DATED: May 2, 2023

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7 ALLISON CLAIRE
8 UNITED STATES MAGISTRATE JUDGE

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