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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 BILLY G. ASEMANI,

12 Plaintiff,

13 v.

14 THE ISLAMIC REPUBLIC OF IRAN,

15 Defendant.
16
17

No. 2:18-cv-2413-KJN PS

ORDER

18 Plaintiff Billy Asemani, who proceeds in this action without counsel,¹ filed this case
19 against defendant The Islamic Republic of Iran on August 31, 2018. (ECF No. 1.) After
20 carefully reviewing plaintiff's complaint, the court concludes that the action should be transferred
21 to the United States District Court for the District of Columbia.

22 The federal venue statute provides that a civil action "may be brought in (1) a judicial
23 district in which any defendant resides, if all defendants are residents of the State in which the
24 district is located; (2) a judicial district in which a substantial part of the events or omissions
25 giving rise to the claim occurred, or a substantial part of property that is the subject of the action
26 is situated; or (3) if there is no district in which an action may otherwise be brought as provided in

27 _____
28 ¹ This case proceeds before the undersigned pursuant to Local Rule 302(c)(21).

1 this section, any judicial district in which any defendant is subject to the court's personal
2 jurisdiction with respect to such action." 28 U.S.C. § 1391(b).

3 By virtue of this case, plaintiff, who is incarcerated in Westover, Maryland, appears to
4 attempt to enforce a Maryland state court judgment against defendant The Islamic Republic of
5 Iran. However, plaintiff's complaint fails to demonstrate that this district is the proper venue for
6 the action. For purposes of 28 U.S.C. § 1391(b)(1), defendant, a foreign country, plainly does not
7 reside in this district. Indeed, defendant's only representatives in the United States are located in
8 Washington D.C. (the Interests Section of The Islamic Republic of Iran, located at 1250 23rd St.,
9 #200 N.W., Washington, D.C. 20037). Additionally, for purposes of 28 U.S.C. § 1391(b)(2),
10 even though plaintiff alleges that some of defendant's assets may be located in California, that
11 allegation is entirely speculative and certainly fails to demonstrate that a *substantial* part of the
12 property at issue is located in California, let alone in the Eastern District of California.
13 Furthermore, 28 U.S.C. § 1391(b)(3) does not apply in this case, because there is another district
14 in which defendant has some representative presence—the District of Columbia.


15 Therefore, the court transfers this action to the District of Columbia pursuant to 28 U.S.C.
16 § 1406(a). In transferring this action, this court expresses no opinion regarding the merits of
17 plaintiff's claims.

18 Accordingly, IT IS HEREBY ORDERED that:

- 19 1. The action is TRANSFERRED to the United States District Court for the District of
20 Columbia pursuant to 28 U.S.C. § 1406(a).
- 21 2. The Clerk of Court shall close this case.²

22 IT IS SO ORDERED.

23 Dated: September 26, 2018

24 
25 KENDALL J. NEWMAN
26 UNITED STATES MAGISTRATE JUDGE

27 ² Plaintiff is instructed to direct any filings or inquiries related to this case to the United States
28 District Court for the District of Columbia. *Plaintiff is cautioned that further filings in the
Eastern District of California related to this case will be disregarded.*