

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 14-7016

September Term, 2014

1:13-cv-01418-BAH

Filed On: May 18, 2015

Terrylyn McCain,

Appellant

v.

Bank of America N.A., et al.,

Appellees

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**BEFORE:** Griffith, Kavanaugh, and Wilkins, Circuit Judges

**J U D G M E N T**

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

**ORDERED AND ADJUDGED** that the district court's order filed January 30, 2014, be affirmed. The district court correctly determined venue for appellant's claims does not lie in the District of Columbia. See 28 U.S.C. § 1391(b). The district court also did not abuse its discretion in dismissing appellant's complaint rather than transferring it to the United States District Court for the Eastern District of California pursuant to 28 U.S.C. § 1406(a). See Naartex Consulting Corp. v. Watt, 722 F.2d 779, 789 (D.C. Cir. 1983).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

**Per Curiam**