

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

Submitted March 21, 2025*

Decided March 24, 2025

Before

MICHAEL B. BRENNAN, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 24-2880

CEDRIC GREENE,
Plaintiff-Appellant,

v.

ANGELES-IPA,
Defendant-Appellee.

Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

No. 24 C 10263

Lindsay C. Jenkins,
Judge.

ORDER

Cedric Greene appeals from a judgment dismissing his complaint for improper venue and lack of personal jurisdiction. We affirm.

Greene, a California resident, sought to transfer his case against Angeles-IPA, a California-based medical corporation, from Nevada state court to the Northern District

* The defendant-appellee was not served with process and is not participating in this appeal. We have agreed to decide the case without oral argument because the brief and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

of Illinois. The district court screened the complaint, *see* 28 U.S.C. § 1915(e), and dismissed it as legally frivolous because venue was improper and personal jurisdiction was lacking.

On appeal, Greene challenges the characterization of his filing as frivolous. In his view, the restrictions placed upon him by the Nevada state court prevented him from pursuing his claims against Angeles-IPA, necessitating that his case be heard in the Northern District of Illinois in accordance with the federal transfer statute. *See* 28 U.S.C. § 1404(a). The federal transfer statute, however, governs the transfer of cases within the federal system to a more convenient venue for the parties and witnesses, in the interest of justice. *Id.*; *Mueller v. Apple Leisure Corp.*, 880 F.3d 890, 894 (7th Cir. 2018). Greene's filing in the Northern District was not a request to transfer venue from one federal court to another; his case originated in state court. Moreover, the complaint was legally frivolous. A complaint is legally frivolous if it is based on an "indisputably meritless legal theory," *Felton v. City of Chicago*, 827 F.3d 632, 635 (7th Cir. 2016) (quoting *Neitzke v. Williams*, 490 U.S. 319, 327–28 (1989)), and Greene did not assert a single legal theory for relief, let alone raise any factual allegations, against Angeles-IPA.

We close with an observation. The district court should not have granted Greene leave to appeal in forma pauperis. When, as here, a district court decides that a suit is frivolous under § 1915(e), it should not authorize an appeal to proceed in forma pauperis. *See Lee v. Clinton*, 209 F.3d 1025, 1026–27 (7th Cir. 2000). We therefore REVOKE the court's order permitting Greene to take this appeal in forma pauperis.

AFFIRMED