IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

JACKIE HAMBY	§	
VS.	§	CIVIL ACTION NO. 1:20-CV-185
DR. WRIGHT, ET AL.	§	

MEMORANDUM OPINION AND ORDER

Plaintiff Jackie Hamby, a prisoner currently confined at the Hightower Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Dr. Wright, Physician Assistant Mark J. Richards, Dr. Paul W. Shrode, and Dr. Robert Behrns.
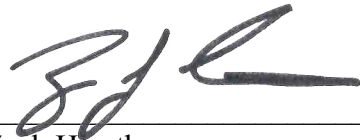
Discussion

When jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391(b) provides that venue is proper in the judicial district where the defendants reside or in which the claim arose. Under 28 U.S.C. § 1404, the district court may transfer a civil action to any other district where it could have been brought for the convenience of parties and witnesses and in the interest of justice.

Some of plaintiff's claims involve incidents that took place at the Hightower Unit, which is located in the Beaumont Division of the United States District Court for the Eastern District of Texas. Plaintiff also complains of incidents that took place at the Michael Unit, which is in the Tyler Division. Because the claims arose in this district, venue is proper in the Eastern District of Texas. However, the court has considered the circumstances and has determined that the interests of justice would be served by transferring the claims against defendants Wright and Shrode, who are employed

at the Michael Unit, to the division in which the claims arose. Therefore, the claims concerning those defendants should be transferred to the Tyler Division. It is accordingly

ORDERED that the claims against Dr. Wright and Dr. Paul Shrode are **SEVERED** from this action and **TRANSFERRED** to the Tyler Division of the United States District Court for the Eastern District of Texas.

SIGNED this 30th day of June, 2020.

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Zack Hawthorn
United States Magistrate Judge