

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

CHESTER FINNEY §
VS. § CIVIL ACTION NO. 1:21-CV-462
GAVIN NEWSOM §

MEMORANDUM OPINION AND ORDER

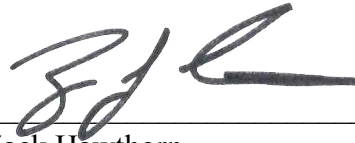
Plaintiff Chester Finney, a prisoner confined at the French Robertson Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Gavin Newsom, the Governor of the State of California.

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. Venue is not proper in the Eastern District of Texas, because plaintiff alleges that the claims arose, and the defendant resides, in California. 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. The court has considered the circumstances and has determined that justice would be served by transferring this action to the district where the claims arose and the defendant resides. It is accordingly

ORDERED that this civil rights action is **TRANSFERRED** to the Eastern District of California.

SIGNED this 13th day of September, 2021.

A handwritten signature in black ink, appearing to read 'Zack Hawthorn', written over a horizontal line.

Zack Hawthorn
United States Magistrate Judge