

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

LESFORD MARK REID §
VS. § CIVIL ACTION NO. 9:23cv13
BRYAN K. DOBBS, ET AL. §

MEMORANDUM OPINION AND ORDER REGARDING VENUE

Plaintiff Lesford Mark Reid, an inmate at the United States Penitentiary at Beaumont, Texas, filed this lawsuit pursuant to *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971), against numerous defendants.

Venue in a lawsuit filed pursuant to *Bivens* is governed by 28 U.S.C. § 1391(b). *Stafford v. Briggs*, 444 U.S. 527, 542 (1980). Section 1391(b) states venue is proper in any judicial district where a defendant resides, if all defendants are residents of the state in which the district is located, or in a district in which a substantial part of the events giving rise to the claims being asserted occurred.

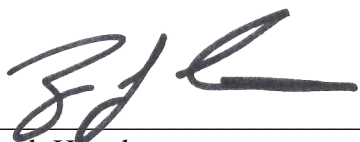
Plaintiff's claims involve events which occurred in Jefferson County, Texas. In addition, all of the defendants appear to reside in Jefferson County. Jefferson County is located in the Eastern County of Texas. However, it is in the Beaumont Division rather than the Lufkin Division. As a result, while venue with respect to this case is proper in the Eastern District, it is not proper in the Lufkin Division.

When a case or claim is filed in the wrong district or division, the court "shall dismiss, or if it be in the interests of justice, transfer such case to any district or division in which it could have been brought." 28 U.S.C. § 1406(a). The court is of the opinion it would be the interests of justice to transfer this case to the Lufkin Division.

ORDER

It is accordingly **ORDERED** that this case is **TRANSFERRED** to the Beaumont Division of this court.

SIGNED this 24th day of January, 2023.



Zack Hawthorn
United States Magistrate Judge