

United States District Court
Southern District of Texas

ENTERED

December 13, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ANTONIO A GARCIA,

§

Plaintiff,

§

§

VS.

§

§

CIVIL ACTION NO. 2:23-CV-00305

UNKNOWN DEFENDANT, *et al.*,

§

§

Defendants.

§

§

OPINION AND ORDER OF TRANSFER

Plaintiff Antonio A. Garcia, appearing *pro se*, has filed this prisoner civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff is a prisoner in the Texas Department of Criminal Justice, Criminal Institutions Division (TDCJ) and is currently housed at the Coffield Unit in Tennessee Colony, Texas. Plaintiff complains in this action about certain TDCJ policies impacting his ability to receive mail and pictures in his tablet provided at the Coffield Unit. (D.E. 1, p. 1; D.E. 1-1, p. 4). In his amended complaint, Plaintiff names as defendants the Coffield Unit’s mail department, the Coffield Unit’s grievance department, and the TDCJ Administration. (D.E. 5, p. 3).

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought in (1) a judicial district where any defendant resides, if all defendants reside in the same state, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). In addition, for the convenience of parties and witnesses, and in the interest of justice, a district court may

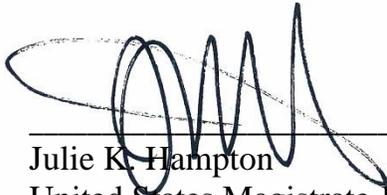
transfer any civil action to any other district or division where it might have been brought.
28 U.S.C. § 1404(a).

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28 U.S.C. § 1404(a).

All of the events forming the basis of Plaintiff's complaint occurred at the Coffield Unit, which is located in Anderson County, Texas. Plaintiff primarily seeks to hold Coffield Unit officials responsible for the alleged unconstitutional policies impacting him. None of the named defendants reside in the Corpus Christi Division of the Southern District of Texas. Overall, there is no nexus to the Corpus Christi Division. Because the Coffield Unit is located within the Tyler Division of the Eastern District of Texas, the interests of justice would be served by a transfer to that court.

Accordingly, it is **ORDERED** that this case including, all pleadings and motions filed therein, be transferred to the United States District Court for the Eastern District of Texas, Tyler Division. The Clerk of Court is directed to **CLOSE** this case in this division.

ORDERED on December 12, 2023.



Julie K. Hampton
United States Magistrate Judge