

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**JAMES CHARLES
ADC #96467**

PLAINTIFF

V.

CASE NO. 4:08CV03760 JMM/BD

FREDDIE OTTS, et al.

DEFENDANTS

ORDER

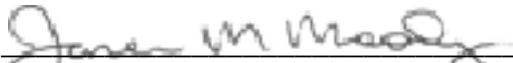
Plaintiff filed a pro se Complaint (docket entry #2) under 42 U.S.C. § 1983 on October 21, 2008, along with an Application to Proceed *In Forma Pauperis* (#1). On May 13, 2008, Plaintiff was accused of sexually assaulting another inmate. Plaintiff alleges that his Due Process and Eighth Amendment rights were violated as a result of the investigation into the alleged assault.

According to Plaintiff's Complaint, it appears the wrongful acts he complains of arose during his incarceration in the Ouachita River Correctional Unit ("ORCU"), which lies in the Western District of Arkansas. Several of the Defendants are ORCU employees. The interests of justice would be best served by transferring this case to the United States District Court for the Western District of Arkansas, under 28 U.S.C. § 1406(a) and 28 U.S.C. § 1391(e).

The Clerk of the Court is directed to transfer Plaintiff's case immediately to the United States District Court for the Western District of Arkansas, Hot Springs Division,

100 Reserve Street, Room 347, Hot Springs, Arkansas 71902-6486.

IT IS SO ORDERED this 23rd day of October, 2008.


UNITED STATES DISTRICT JUDGE