

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

**JOHN EDWARD MILLER  
ADC #140899**

**PLAINTIFF**

**v.**

**CASE NO. 4:10CV00246 BSM/BD**

**UNION PACIFIC RAILROAD, et al.**

**DEFENDANTS**

**ORDER**

Plaintiff, John Edward Miller (“Miller”), who is currently confined in the Wrightsville Unit of the Arkansas Department of Correction, filed a *pro se* § 1983 complaint alleging that he was injured while housed in the Bowie County Jail in Texarkana, Texas. [Doc. No. 2].

The federal venue statute provides that, in a case that is not based on diversity jurisdiction, venue is proper in the judicial district where “any defendant resides” or “a substantial part of the events or omissions giving rise to the claim occurred.” 28 U.S.C. § 1391(b). All of the events giving rise to Miller’s claims occurred in Bowie County, Texas. In addition, one of the named defendants in this action resides in Bowie County, Texas.

Bowie County is located in the Texarkana Division of the United States District Court for the Eastern District of Texas. The interests of justice will best be served by transferring the case to that federal court. 28 U.S.C. § 1406(a) (providing that the “district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought”).

IT IS THEREFORE ORDERED THAT this case is hereby IMMEDIATELY TRANSFERRED to the United States District Court for the Eastern District of Texas, Texarkana Division.

Dated this 20th day of April, 2010.

  

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UNITED STATES DISTRICT JUDGE