

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

CHAD NELSON

PLAINTIFF

v.

CASE NO. 4:11CV00273 DPM/JTK

MICHAEL J. ASTRUE,
Commissioner, Social Security Administration

DEFENDANT

ORDER

Plaintiff filed a motion for appointment of counsel on March 28, 2011. (Doc. No. 3) On April 1, 2011, the Court entered an order directing Plaintiff to contact three attorneys who practice in the area of Social Security disability about taking his case and to file a statement with the Court no later than May 1, 2011, stating the names of the attorneys to whom he talked, the date, and what each attorney told him about representing him in this matter.¹ (Doc. No. 5) Plaintiff has not complied with that order.

The Court hereby informs Plaintiff he has an extension of thirty days from the date of this Order to comply with the Court's directions. The Court cannot consider appointing an attorney until Plaintiff has attempted to obtain private counsel.

¹ The Court was not engaging in an April Fools' joke.

Also before the Court is the Commissioner's Motion to Dismiss Plaintiff's Complaint for Improper Venue, or to Transfer Venue to a Proper District. (Doc. No. 11) The motion to dismiss is denied, and the motion to transfer is granted. 42 U.S.C. § 405(g) provides that a plaintiff's action seeking judicial review of the Commissioner's decision "shall be brought in the district court of the United States for the judicial district in which the plaintiff resides[.]" Plaintiff's complaint indicates he is a resident of Van Buren, Arkansas, in Crawford County. (Doc. No. 2 at 5) The Western District of Arkansas hears cases arising in Crawford County.² The Court therefore transfers Plaintiff's action to the United States District Court for the Western District of Arkansas.

IT IS SO ORDERED this 5th day of May, 2011.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE

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