

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

**JASON KELLY FRAZIER,
ADC #650433**

PLAINTIFF

v.

4:11-cv-399-DPM-JTR

**ARKANSAS DEPARTMENT OF
CORRECTION; WOMBLE, Sergeant; and
JESSIE STEARNS, Correctional Officer,
Ouachita River Unit**

DEFENDANTS

ORDER

The Court finds that the interests of justice would be best served by transferring this case to the Hot Springs Division of the United States District Court for the Western District of Arkansas. Venue lies in the Western District, as all Defendants are there and the events complained of allegedly occurred there. 28 U.S.C. § 1406(a).

The Clerk of the Court is directed to transfer Frazier's entire case file to the United States District Court for the Western District of Arkansas, Hot Springs Division. The transfer should be immediate; there is no need to wait a reasonable time, *cf. In re. Nine Mile Limited*, 673 F.2d 242, 243 (8th Cir. 1982),

because the receiving Court is also in the Eighth Circuit and, if he wants to do so, Frazier can challenge the transfer by taking his appeal from that Court as easily and completely as he could appeal from this Court.

So Ordered.



D.P. Marshall Jr.
United States District Judge



12 July 2012