

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

MARCUS LEON RUSSELL

PLAINTIFF

v.

NO. 4:11CV00879 JLH

JOHNSON COUNTY SHERIFF'S OFFICE;
and OFFICER GEORGE SUMMERLINE

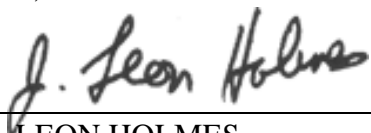
DEFENDANTS

ORDER

Marcus Leon Russell brings this action against the Johnson County Sheriff's Office and Officer George Summerline, who Russell says is employed with the Arkansas State Patrol Troop J, located at 2700 West Main, Clarksville, Arkansas. Clarksville is in Johnson County. Johnson County is in the Western District of Arkansas, not the Eastern District. 28 U.S.C. § 83.

Venue in this action is governed by 28 U.S.C. § 1391(a), which provides, in pertinent part, that venue lies in the judicial district where a defendant resides or the judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. It appears from the complaint that the defendants reside in the Western District of Arkansas and that the events that give rise to the claim occurred in the Western District of Arkansas. Therefore, venue lies in the Western District of Arkansas, not the Eastern District. When an action is filed in the wrong division or district, the court may dismiss the action or, if it is in the interest of justice, transfer the case to the district in which it could have been brought. 28 U.S.C. § 1406(a). Accordingly, the Court orders that this action be immediately transferred to the Western District of Arkansas.

IT IS SO ORDERED this 13th day of December, 2011.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE