

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

**BENJAMIN MUHAMMAD JONES**  
**ADC # 89586**

**PLAINTIFF**

v.

**4:12-CV-00100-BRW**

**MIKE JOLLY, Executive Director**  
**Warren Housing Authority, et al.**

**DEFENDANTS**

**ORDER**

Pending are Plaintiff's pro se Motions to Amend/Correct Complaint (Doc. No. 29, 30, and 34). Plaintiff, a prisoner in the Tucker Maximum Security Unit of the Arkansas Department of Corrections, alleges, among other things, that Defendants used excessive force when arresting him at Mad Butcher's in Warren, Arkansas. Warren lies within Bradley County, Arkansas. Upon reviewing the Complaint<sup>1</sup> and Motions to Amend, I note that Plaintiff sued Defendants in connection with events that occurred in Bradley County, Arkansas, and Defendants reside in Bradley County, Arkansas.

Except in circumstances not present in this case, federal venue is proper where the events giving rise to the claim occurred, or where any defendant resides.<sup>2</sup> As noted above, Plaintiff's allegations involve events that occurred in Bradley County, and Defendants reside there. Bradley County is in the El Dorado Division of the United States District Court for the Western District of Arkansas, and this case should have been brought there. A "district court of a district in which a case is filed laying venue in the wrong division or district shall dismiss, or if it be in

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<sup>1</sup>Doc. No. 1.

<sup>2</sup>28 U.S.C. § 1391(b).

the interest of justice, transfer such case to any district or division in which it could have been brought.”<sup>3</sup>

While Plaintiff has filed his Complaint and been granted in forma pauperis status, and Defendants have answered, this case is still in its early stages. I conclude that it is in the interest of justice to transfer this case; this case is immediately transferred to the United States District Court for the Western District of Arkansas, El Dorado Division.

IT IS SO ORDERED this 14<sup>th</sup> day of August, 2012.

/s/Billy Roy Wilson  
UNITED STATES DISTRICT JUDGE

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<sup>3</sup>28 U.S.C. § 1406(a).