

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

LEON K. CARTER
ADC #099370

PLAINTIFF

v.

No: 4:17-cv-251-DPM

CODY FURGUSION, Police Officer; and
NEVADA COUNTY SHERIFF'S DEPARTMENT

DEFENDANTS

ORDER

1. The Court withdraws the reference.

2. Carter filed this *pro se* § 1983 lawsuit about events that allegedly occurred in Nevada County, Arkansas. The core of Carter's complaint is against Officer Cody Furgusion, who resides in Nevada County. *No 1*.

The controlling statute states that, in cases not based on diversity of citizenship, venue is proper in "a judicial district in which any defendant resides" or where "a substantial part of the events or omissions giving rise to the claim occurred[.]" 28 U.S.C. § 1391(b)(1)-(2). Nevada County is in the Western District of Arkansas. The Court therefore finds that the interests of justice will be best served by transferring the case there. 28 U.S.C. § 1404(a).

3. The Court directs the Clerk to transfer this case to the United States District Court for the Western District of Arkansas, Texarkana Division. The transfer is immediate because the receiving Court is in the Eighth Circuit, too. Cf. *In re Nine Mile Limited*, 673 F.2d 242 (8th Cir. 1982) (*per curiam*).

So Ordered.

W.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

5 June 2017