

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

ANDREW T. BREWER
ADC #118074

PLAINTIFF

V.

4:09CV00430 JMM/JTR

DAVID W. TALLEY, JR.,
Attorney, Columbia County, et al.

DEFENDANTS

ORDER OF TRANSFER

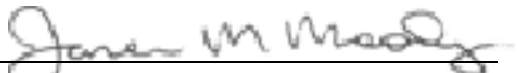
Plaintiff, who is currently incarcerated at the Randall Williams Unit of the Arkansas Department of Correction, has commenced this § 1983 action alleging that Defendants violated his constitutional rights while he was in Columbia County, Arkansas.

In a non-diversity case, venue is proper “only” where: (1) “any defendant resides, if all defendants reside in the same State”; (2) “a substantial part of the events or omissions giving rise to the claim occurred”; or (3) “any defendant may be found, if there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

It appears that all of the named Defendants reside in Columbia County, and that the events giving rise to this § 1983 action occurred there. Thus, venue is proper in the United States District Court for the Western District of Arkansas, El Dorado Division. The interests of justice would be best served by transferring this case to that Court. *See* 28 U.S.C. § 1406(a) (providing that: “The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought”).

IT IS THEREFORE ORDERED that the Clerk shall IMMEDIATELY TRANSFER this case to the Western District of Arkansas, El Dorado Division.

Dated this 18th day of June, 2009.


UNITED STATES DISTRICT JUDGE