

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

RAPHAEL DAMELL DAVIS

PLAINTIFF

V.

4:12CV00096 SWW/JTR

MICHAEL VORHEASE, Deputy; and
BRYAN SLAUGHTER, Deputy,
Ashley County Sheriff's Department

DEFENDANTS

TRANSFER ORDER

Plaintiff, Raphael Damell Davis, is confined in the Ashley County Detention Facility. He has filed a *pro se* § 1983 Complaint alleging that, on January 19, 2012, Defendants used excessive force when they arrested him and denied him adequate medical care for the injuries he sustained in that altercation. *See* docket entry #2.

The federal venue statute provides that, in a case that is not based on diversity jurisdiction, venue is proper in the judicial district where “any defendant resides” or “a substantial part of the events or omissions giving rise to the claim occurred.” *See* 28 U.S.C. § 1331(b). The events giving rise to this action occurred in Ashley County. Similarly, it appears that both of the Defendants reside in Ashley County.

Ashley County is located in the El Dorado Division of the United States District Court for the Western District of Arkansas. The Court concludes that the interest of

justice will best be served by transferring the case to that federal 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 this case is IMMEDIATELY TRANSFERRED to the United States District Court for the Western District of Arkansas, El Dorado Division.

Dated this 2nd day of March, 2012.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE