

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

**PHILLIP DEWAYNE STEWART,  
ADC #151956**

**PLAINTIFF**

**v.**

**No. 4:14-cv-224-DPM-JTK**

**KEVIN STARKEY, Field Utility High  
Rider, Ouachita River Unit, ADC;  
M.D. REED, Warden, Ouachita River  
Unit, ADC; and WENDY KELLY, Assistant  
Director, ADC**

**DEFENDANTS**

**ORDER**

The interests of justice would be best served by transferring this case to the United States District Court for the Western District of Arkansas. Venue would be proper in the Western District because all Defendants except Kelly are located there and the events complained of allegedly occurred there. 28 U.S.C. § 1406(a).

The Clerk of the Court shall transfer Stewart's entire case file immediately<sup>1</sup> to the Western District of Arkansas, El Dorado Division, United States Courthouse, 101 South Jackson Ave., Room 205, El Dorado, AR 71730-6133.

---

<sup>1</sup> The transfer should be immediate because Stewart's appeal rights are not affected. *In re Nine Mile Limited*, 673 F.2d 242, 243-44 (8th Cir. 1982)(*per curiam*).

So Ordered.

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

*14 May 2014*