

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

ELLIS TRICE,
ADC #144462

PLAINTIFF

v.

4:11-CV-00309 BSM

DONALD EVERSOLE, Detective,
Van Buren Police Department; and
PATTI BONEWELL, Detective,
Crawford County Sheriff's Office

DEFENDANTS

TRANSFER ORDER

Plaintiff, Ellis Trice, is a prisoner in the Delta Regional Unit of the Arkansas Department of Correction. He has recently filed a *pro se* § 1983 complaint alleging that, on an unspecified date, defendants Donald Eversole and Patti Bonewall used excessive force when they arrested him in Crawford County and confined him in “a cage.” [Doc. No. 2 at 4]. Plaintiff alleges that, while he was in the cage, defendants drove to Pulaski County where they conducted a warrantless search of his home and seized his personal property. *Id.* In April of 2009, plaintiff was convicted, in the Crawford County Circuit Court, of child pornography charges and sentenced to 15 years in prison. *See Trice v. State*, CACR09-721, 2010 WL 26395 (Ark. App. Jan. 6, 2010) (unpublished opinion); ADC website, www.adc.arkansas.gov/inmate_info.

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. § 1391(b). Both of the defendants appear to reside in Crawford County. Additionally, a substantial part of the events giving rise to plaintiff’s claims occurred in Crawford County.

Crawford County is located in the Fort Smith Division of the United States District Court for the Western District of Arkansas. *See* www.arwd.uscourts.gov. Thus, the interests of justice would best be served if this case was transferred to that federal court. *See* 28 U.S.C. § 1404(a).

This case is hereby immediately transferred to the United States District Court for the Western District of Arkansas, Fort Smith Division.

IT IS SO ORDERED this 28th day of April, 2011.


UNITED STATES DISTRICT JUDGE