

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

**MARCUS FIELDS
A.D.C. # 150118**

PLAINTIFF

v.

No. 4:12-cv-61-DPM

**B. BARRETT NIXON, Chief Prosecutor,
Sebastian County; and BEN WOLF,
Prosecutor, Sebastian County**

DEFENDANTS

ORDER

Mr. Fields filed this action *pro se* pursuant to 42 U.S.C. § 1983. It appears that the Defendants reside in Sebastian County, Arkansas, and the events giving rise to Fields's claim occurred in Sebastian County. *Document No. 2.* The controlling statute provides 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).

Sebastian County is in the Fort Smith Division of the United States District Court for the Western District of Arkansas. The Court finds that the interest of justice will be best served by transferring the case there. This case

is, therefore, transferred to the United States District Court for the Western District of Arkansas, Fort Smith 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).

So Ordered.



D.P. Marshall Jr.
United States District Judge

