

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

CARLOS JOHNSON,
ADC #655088

PLAINTIFF

V.

4:14CV00672 SWW/JTR

SEBASTIAN COUNTY, ARKANSAS; and
DOES, unknown Sebastian County Jailers
and Fort Smith Police Officers

DEFENDANTS

TRANSFER ORDER

Plaintiff, Carlos Johnson, is a prisoner in the Varner Unit of the Arkansas Department of Correction. He has filed a *pro se* § 1983 Complaint alleging that Defendants used excessive force against him when he was arrested in Sebastian County and confined in the Sebastian County Jail. *Doc. 1*.

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). The events giving rise to this action occurred in Sebastian County, and it appears that Defendants reside in that county. Sebastian County is located in the Fort Smith 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, Fort Smith Division.

Dated this 2nd day of December, 2014.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE