

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

BRADY LEE HORTON
ADC #122529

PLAINTIFF

V.

1:10CV00062 WRW/JTR

JERRY LOGGINS,
Sheriff, Searcy County, et al.

DEFENDANTS

TRANSFER ORDER

Plaintiff, Brady Lee Horton, has filed a *pro se* § 1983 Complaint alleging that Defendants violated his constitutional rights while he was a pretrial detainee in the Searcy County Jail. *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. § 1391(b). It appears that all of the Defendants in this action reside in Searcy County. Similarly, the events giving rise to Plaintiff’s claims occurred in Searcy County.

Searcy County is located in the Harrison 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 hereby IMMEDIATELY TRANSFERRED to the United States District Court for the Western District of Arkansas, Harrison Division.

Dated this 23rd day of August, 2010.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE