

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

ALEC HARDWICK,
ADC #11305

PLAINTIFF

V.

4:12CV00204 SWW/JTR

WAYNE SMITH, Warden,
Southwest Arkansas Community Correctional Center;
and RICK HART, Director,
Arkansas Department of Community Corrections

DEFENDANTS

TRANSFER ORDER

Plaintiff, Alec Hardwick, is a prisoner in the Grimes Unit of the Arkansas Department of Correction. In this *pro se* § 1983 action, he alleges that Defendant Warden Wayne Smith violated his constitutional rights while he was a prisoner in the Southwest Arkansas Community Correctional Center. *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).

The events giving rise to Plaintiff’s claims occurred at the Southwest Arkansas Community Correctional Center, which is located in Miller County. Similarly, it appears that Defendant Smith resides in Miller County. Miller County is located in

the Texarkana Division of the United States District Court for the Western District of Arkansas.

Plaintiff has also named Arkansas Department of Community Correction Director Rick Hart as a Defendant. *Id.* It appears that Defendant Hart resides in Pulaski County. However, Plaintiff has not raised *any* factual allegations against Defendant Hart.

The Court concludes that the interest of justice would best be served if this case were transferred to the Texarkana Division of the United States District Court for the Western District of Arkansas. *See* 28 U.S.C. § 1404(a) (providing that a district court may transfer a case to another district if it is “in the interest of justice”).

IT IS THEREFORE ORDERED THAT this case is hereby IMMEDIATELY TRANSFERRED to the United States District Court for the Western District of Arkansas, Texarkana Division.

Dated this 27th day of April, 2012.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE