

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

VERNELL CONLEY,
ADC #110709

PLAINTIFF

V.

4:12CV00177 JMM

JASON FRENCH,
Detective, Washington County, et al.

DEFENDANTS

TRANSFER ORDER

Plaintiff, Vernell Conely, is a prisoner in the Cummins Unit of the Arkansas Department of Correction. He has filed a *pro se* § 1983 Complaint alleging that Defendants violated his constitutional rights when they arrested and prosecuted him in Washington County, Arkansas. *See* docket entries #2 and #3.

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 Washington County. Additionally, it appears that all of the Defendants reside in Washington or Madison County.

Washington and Madison Counties are located in the Fayetteville 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, Fayetteville Division.

Dated this 4th day of April, 2012.


UNITED STATES DISTRICT JUDGE