

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION**

**JONTHAN C. JENNINGS,  
ADC #122853**

**PLAINTIFF**

**v.**

**4:13-cv-454-DPM-JTR**

**TIM HELDER,  
Washington County Sheriff, et al.**

**DEFENDANTS**

**ORDER**

Jonathan C. Jennings is a prisoner in the Washington County Detention Center. He has filed a *pro se* § 1983 complaint and several supporting documents alleging that defendants have failed to protect him from harm, used excessive force against him, and refused to provide him with a medically necessary diet. *No* 2, 3, 5, 6, 8, & 9. Jennings also has filed a motion for a preliminary injunction asking that he be immediately transferred to another ADC holding facility. *No* 7.

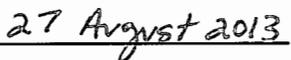
The statute provides that, in a case that is not based on diversity jurisdiction, venue is proper in the judicial district where “any defendant resides” or “a substantial part of the events or omissions giving rise to the claim occurred.” 28 U.S.C. § 1391(b). The events giving rise to this § 1983

action occurred at the Washington County Detention Center, and it appears that all of the defendants reside near that facility. Washington County is located in the Fayetteville Division of the United States District Court for the Western District of Arkansas. Venue is proper there, and not in the Eastern District.

Transfer to the proper court, rather than dismissal, is in the interests of justice. 28 U.S.C. § 1406(a). The Clerk is directed to immediately transfer this case to the United States District Court for the Western District of Arkansas, Fayetteville Division.\*

So Ordered.

  
\_\_\_\_\_  
D.P. Marshall Jr.  
United State District Judge

  
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27 August 2013

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\* *In re Nine Mile Limited*, 673 F.2d 242, 243 (8th Cir. 1982).