

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

MATTHEW MURRAY,
ADC #139547

PLAINTIFF

V.

4:09CV00495 SWW/JTR

MCGHEE, Corporal,
Ouachita River Unit, ADC, et al.

DEFENDANTS

TRANSFER ORDER

Plaintiff, who is currently incarcerated at the Delta Regional Unit of the Arkansas Department of Correction (“ADC”), has filed a *pro se* § 1983 Complaint alleging that his constitutional rights were violated, in several respects, while he was incarcerated at the Ouachita River Unit (“ORU”). *See* docket entry #2. Eighteen of the twenty named Defendants work at the ORU. *Id.* The remaining two Defendants, Disciplinary Hearing Administrator James Gibson and ADC Director Larry Norris, work in the ADC central office in Pine Bluff, Arkansas. *Id.* However, their only involvement in this case is that they reviewed Plaintiff’s appeals of disciplinary convictions that Plaintiff received at the ORU. *Id.*

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 ORU, which is located in Hot Spring County. Similarly, the majority of the named Defendants reside in Hot Spring County.

Hot Spring County is located in the Hot Springs Division of the United States District Court for the Western District of Arkansas. Thus, the Court concludes that the interest of justice would

best be served if this case was transferred to that federal court. *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 be IMMEDIATELY TRANSFERRED to the United States District Court for the Western District of Arkansas, Hot Springs Division.

Dated this 23rd day of July, 2009.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE