

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

**ANTHONY SMITH,
ADC #146084**

PLAINTIFF

V.

No. 4:13-cv-71 KGB-JTR

**MARY BROWN, Warden, Omega Unit,
Arkansas Department of Correction, et al.**

DEFENDANTS

TRANSFER ORDER

Plaintiff Anthony Smith is a prisoner in the Omega Center of the Arkansas Department of Correction. Mr. Smith has filed a *pro se* § 1983 complaint alleging that defendants have denied him constitutionally adequate medical care.

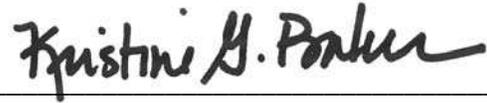
The federal venue statute provides that, in a case that is not based on diversity jurisdiction, venue is proper in the judicial district where “any defendant resides” or “a substantial part of the events or omissions giving rise to the claim occurred.” 28 U.S.C. § 1391(b). The events giving rise to this action occurred at the Omega Unit, which is located in Hot Spring County, Arkansas. Similarly, 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. The Court concludes that the interest of justice will best be served by transferring this case to the Hot Springs Division of the Western District of Arkansas. *See* 28 U.S.C. § 1406(a) (“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”).

Accordingly, this case is immediately transferred to the United States District Court for the

Western District of Arkansas, Hot Springs Division.

SO ORDERED this 26th day of February, 2013.

A handwritten signature in black ink that reads "Kristine G. Baker". The signature is written in a cursive style with a prominent initial "K".

Kristine G. Baker
United States District Judge