

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01147-CMA-MJW

CONRAD GARZA,

Plaintiff,

v.

CORRECTIONAL CORP. OF AMERICA,
WARDEN BOBBY BONNER,
C.O. HORVATICH,
DOCTOR TIONA, and
V. BAZAAR, and

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion for Change of Venue Pursuant to 28 U.S.C. §1404(a) (Docket No. 63) is DENIED.

Plaintiff's motion argues that he has been transferred back to the Idaho correctional system and that he intends to add Idaho defendants to this lawsuit. But this lawsuit is based on a fight and inadequate medical care that occurred in the past – in Colorado. It is conceivable that Plaintiff might have *new* claims against these purported Idaho defendants, but those claims have nothing to do with this lawsuit.

“For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.” 28 U.S.C. §1404(a). The party seeking to transfer a case pursuant to §1404(a) bears the burden of establishing that the existing forum is inconvenient. See *Chrysler Credit Corp. v. Cnty. Chrysler, Inc.*, 928 F.2d 1509, 1515 (10th Cir. 1991).

There is no indication that the Idaho courts have personal jurisdiction over the Defendants in this case; there is no indication that the convenience of any parties or witnesses (other than Plaintiff's own convenience) would be served by transfer; there is no indication that the interests of justice demand transfer. Accordingly, the motion is denied.

Date: July 26, 2016
