

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

WALTER LEE GILBERT,

Plaintiff,

v.

CASE NO. 18-3130-SAC

ANDRE MATEVOUSIAN, et al.,

Defendants.

MEMORANDUM AND ORDER

This matter is before the Court on a civil rights complaint filed under 28 U.S.C. § 1331 by a prisoner. Plaintiff has filed a motion to proceed in forma pauperis. Plaintiff is incarcerated at the Florence – USP ADMAX in Florence, Colorado.

The complaint identifies the defendants as: Andre Matevousian, CEO-Warden of ADX Complex; Amy Kelly, SIS Lieutenant, FCI-Florence; and the United States of America. (Doc. 1.) The complaint alleges sexual assault by ADX staff.

Under 28 U.S.C. § 1391(b):

A civil action may be brought in –

(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;

(2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated . . .

28 U.S.C. § 1391(b)(1)–(2).

Accordingly, venue is proper in Colorado under 28 U.S.C. § 1391(b). The Court directs the Clerk of the Court to transfer this matter to the United States District Court for the District of Colorado.

IT IS THEREFORE ORDERED BY THE COURT that the Clerk of Court shall transfer this action to the United States District Court for the District of Colorado.

IT IS SO ORDERED.

Dated in Topeka, Kansas, on this 8th day of June, 2018.

s/ Sam A. Crow
SAM A. CROW
Senior U. S. District Judge