

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FRANK M. NEFF,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 15-829-SLR
	)	
STATE OF MARYLAND, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM**

1. **Introduction.** Plaintiff Frank M. Neff (“plaintiff”), an inmate at the Eastern Correctional Institute, Westover, Maryland, filed this lawsuit pursuant to 42 U.S.C. § 1983. (D.I. 1) He appears pro se and was granted permission to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (D.I. 12, 14) The action is brought against six defendants, all of whom are located in the State of Maryland. Plaintiff is imprisoned in the State of Maryland.

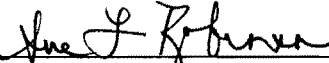
2. **Standard of review.** A civil action wherein jurisdiction is not founded solely on diversity of citizenship is properly brought in: “(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which 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; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1391(b). The court may transfer a case “[f]or the convenience of parties and witnesses, in the

interest of justice, . . . to any other district or division where it might have been brought.”  
28 U.S.C. § 1404(a). The court may raise venue and issue a Section 1404(a) transfer  
order sua sponte. See e.g., *Amica Mut. Ins. Co. v. Fogel*, 656 F.3d 167 (3d Cir. 2011).

3. **Discussion.** Here, it does not appear that any of the events or omissions  
giving rise to plaintiff’s claims occurred in Delaware. The court considers the  
allegations in the complaint and finds the interests of justice favor transferring the action  
to the United States District Court for the District of Maryland, where plaintiff and  
defendants are located and where, based upon the allegations, it appears that all of the  
events took place.

4. **Conclusion.** For the above reasons, the Clerk of Court will be directed to  
transfer this action the United States District Court for the District of Maryland,  
Baltimore Division. The motion to amend (D.I. 23) will be denied without prejudice to  
renew. A separate order shall issue.

Date: August 23, 2016

  
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UNITED STATES DISTRICT JUDGE