

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

| | | |
|----------------------------|---|---------------------------|
| CHRISTOPHER E. WASHINGTON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | No. 1:16-cv-01020-TWP-DML |
| |) | |
| MCCOY Officer, |) | |
| |) | |
| Defendant. |) | |

Order Transferring Action to Northern District of Indiana

Plaintiff Christopher E. Washington, an inmate confined at Westville Correctional Facility (“Westville”), brings this civil rights action against Correctional Officer McCoy, who is employed at Westville. Mr. Washington alleges that he is an amputee of the right leg and on or about March 11, 2014, Officer McCoy subjected him to excessive force by slamming him against a wall. Westville, Indiana is located in LaPorte County.

When jurisdiction is not founded solely on diversity, venue is proper only in the district in which (1) any defendant resides, if all of the defendants are residents of the State in which the district is located, (2) 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) any defendant is subject to the court’s personal jurisdiction, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b).

Another statute, 28 U.S.C. § 1404, provides: “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”

LaPorte County lies in the South Bend Division of the Northern District of Indiana. 28 U.S.C. § 94(a)(3). The acts the plaintiff alleges in support of his claims took place in the Northern District. There is no basis on which this case belongs in this District.

Based on the foregoing, and without having ruled on the motion to proceed *in forma pauperis*, the above action is now **TRANSFERRED** to the United States District Court for the Northern District of Indiana at South Bend, Indiana.

Date: 5/5/2016



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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161505
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