

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

ALFRED WILLIAMS COMER, JR.,	)	
	)	
Plaintiff,	)	
vs.	)	2:06-cv-120-RLY-WGH
	)	
JERRY T. JARRETT,	)	
ROBERT LEWIS,	)	
	)	
Defendants.	)	

**Order Transferring Action to Northern District of Indiana**

The plaintiff has commenced an action against two lawyers from Gary, Indiana, alleging that one of the lawyers failed to represent the plaintiff in an adequate fashion in a criminal action in an Indiana state court and that the other lawyer is the partner or associate of the first lawyer. The plaintiff seeks damages, and has paid \$150.00 toward the \$350.00 filing fee. His claim is asserted pursuant to 42 U.S.C. § 1983.

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 reside in the same state, (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 may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). Here, the acts the plaintiff alleges in support of his claim took place in the Northern District. The defendants are located in the Northern District. The evidence lies in the Northern District. 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." Under these circumstances, the better venue for the action is the Northern District of Indiana.

Accordingly, the above action is now **TRANSFERRED** to the United States District Court for the Northern District of Indiana at Hammond, Indiana.

**IT IS SO ORDERED.**

Date: 07/06/2006

Distribution:

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RICHARD L. YOUNG, JUDGE  
United States District Court  
Southern District of Indiana