

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

ARSENIO EATON.

Plaintiff,

$$V.$$

No. 2:22-cv-00379-JPH-MG

JOHN PLASSE,
MELISSA,
COX,

Defendants.

Order Denying Motion to Change Venue

Before the Court is Plaintiff Arsenio Eaton's motion to change venue. Dkt. 5. Mr. Eaton requests that the Court transfer this matter to a different division. *Id.*

A district court may transfer a case to a different division if it is more convenient or if it is in the interests of justice. 28 U.S.C. § 1404(a). The decision to transfer a case is within the Court's discretion. *See also Research Automation, Inc. v. Schrader-Bridgeport Intern., Inc.*, 626 F.3d 973, 978 (7th Cir. 2010).

Here, it is neither more convenient nor in the interest of justice to transfer this case. The parties are located in the Terre Haute division, and it is more desirable to have this matter resolved in the Terre Haute division because that is the location of the events in Plaintiff's complaint. *Research Automation*, 626 F.3d at 978. Mr. Eaton argues that change of venue is necessary here for him to get a fair trial because the defendants are employed in the Terre Haute division. *See* Dkt. 5. His conclusory argument that the jury pool in this division will be biased does not convince the Court that change of venue would be in the interests of justice. *Smith v. ABN AMRO Mort. Group, Inc.*, 434 F. App'x 454, 465 (6th Cir. 2011) ("[A]n unsubstantiated claim of jury bias, such

as the one alleged here, is insufficient to compel a district court to transfer a case."). And his claim that the defendants will "obstruct justice" or somehow interfere with the court's administration of justice is similarly unfounded.

Plaintiff's motion to change venue, dkt. [5], is therefore **denied**.

SO ORDERED.

Date: 11/21/2022



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

ARSENIO EATON
600 West Honey Creek Drive
Terre Haute, IN 47802