

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE**

**RONALD GENE SCHAEFFER**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 3:11CV-P516-R**

**COMMONWEALTH OF KENTUCKY *et al.***

**DEFENDANTS**

**MEMORANDUM AND ORDER**

Plaintiff Ronald Gene Schaeffer, an inmate at the East Kentucky Correctional Complex (EKCC), filed a *pro se* complaint pursuant to 42 U.S.C. § 1983 against the Commonwealth of Kentucky; Governor Steven L. Beshear; Kentucky Department of Corrections Commissioner- LaDonna Thompson; EKCC Warden -Gary Beckstrom; EKCC Unit Administrator Two-Donald Shawn McKenzie; and EKCC Unit Administrator One- Carla Sparks. Seeking damages and injunctive relief, Plaintiff complains about incidents occurring at EKCC.

There is no special venue statute for § 1983 civil rights actions. Therefore, 28 U.S.C. § 1391 controls. Under § 1391(b), civil actions not based solely on diversity of citizenship may be brought only in:

(1) a judicial district where any defendant resides, if all defendants reside in the same State, (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) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.

The events set forth in the complaint allegedly occurred in EKCC, which is located in the Eastern District of Kentucky. *See* 28 U.S.C. § 97(a). Additionally, Defendants are located in the Eastern District of Kentucky. Therefore, proper venue for this complaint lies in that district.

Under 28 U.S.C. § 1406(a), “[t]he district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if in the interest of justice, transfer such case to any district or division in which it could have been brought.” In the interest of justice,

**IT IS ORDERED that the instant action, including the pending motion to proceed *in forma pauperis*, shall be TRANSFERRED to the United States District Court for the Eastern District of Kentucky, Northern Division at Ashland** pursuant to 28 U.S.C. § 1406(a) and Joint Local Rule 3.1 for all further proceedings. All further filings shall be filed with that court.

Date:

cc: Plaintiff, *pro se*  
Clerk, Eastern District of Kentucky  
4413.008