

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

**DOMINIQUE DAYVEON SMITH**

**PLAINTIFF**

v.

**CIVIL ACTION NO. 5:14CV-P3-R**

**JAILER TERRY CARL *et al.***

**DEFENDANTS**

**MEMORANDUM AND ORDER**

Plaintiff Dominique Dayveon Smith filed a *pro se* civil-rights action pursuant to 42 U.S.C. § 1983. As there is no special venue statute for § 1983 civil-rights actions, 28 U.S.C. § 1391 controls. Under 28 U.S.C. § 1391(b), a civil action may be 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.

Plaintiff brings suit against Kenton County Detention Center Defendants, and a substantial part of the events set forth in the complaint allegedly occurred in the Kenton County Detention Center. Kenton County is located in the Eastern District of Kentucky. *See* 28 U.S.C. § 97(a). Proper venue for this complaint, therefore, lies in that district.

Under 28 U.S.C. § 1406(a), “The 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 be **TRANSFERRED to the United States District Court for the Eastern District of Kentucky, Northern Division, at Covington** for all further proceedings. **All future filings shall be filed in that court.**

Date: January 26, 2014

  
**Thomas B. Russell, Senior Judge**  
**United States District Court**

cc: Plaintiff, *pro se*  
Clerk, Eastern District of Kentucky  
4413.005