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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

**ROBERT EARL LEONARD
LA. DOC #559290**

VS.

LIVINGSTON PARISH SHERIFF'S DEPT.

CIVIL ACTION NO. 09-2116

SECTION P

**JUDGE DOHERTY
MAGISTRATE JUDGE HANNA**

ORDER

On December 7, 2009, *pro se* plaintiff Robert Earl Leonard, an inmate in the custody of Louisiana's Department of Public Safety and Corrections (LDOC) who is incarcerated at the St. Martin Parish Corrections Center, Breaux Bridge, Louisiana, filed a civil rights complaint pursuant to 42 U.S.C. §1983. Plaintiff complained that items of personal property were stolen while he was incarcerated at the Livingston Parish Correctional Center. Plaintiff sued the Livingston Parish Sheriff's Department, the Livingston Parish Correctional Center, and Deputy Lance of the Livingston Parish Sheriff's Office.

Section 1983 does not contain a venue provision; thus, venue is determined under the general venue provisions set forth in 28 U.S.C. § 1391. When, as here, a civil action is not premised solely upon diversity jurisdiction, it may be brought only in (1) a judicial district where any defendant resides, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, 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. 28 U.S.C. § 1391(b).

Clearly, venue for this action is inappropriate in the Western District of Louisiana since none of the defendants reside here and the complained of events occurred elsewhere. However,

since all of the defendants apparently reside in Livingston Parish, and since the events or omissions giving rise to plaintiff's claims occurred there, transfer to the United States District Court for the Middle District of Louisiana is appropriate.

Therefore,

IT IS ORDERED THAT the matter is hereby **TRANSFERRED** to the United States District Court for the Middle District of Louisiana.

In Chambers, Lafayette, Louisiana, December 18,

2009.



PATRICK J. HANNA
UNITED STATES MAGISTRATE JUDGE