

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

	)	
<b>CLARENCE D. JOHNSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 14-11274-DJC</b>
	)	
<b>WELLS FARGO BANK,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

**MEMORANDUM AND ORDER**

**CASPER, J.**

October 30, 2014

On September 15, 2014, Magistrate Judge M. Page Kelley issued an Order for Reassignment and Report and Recommendation (Docket No. 13) recommending dismissal of this action pursuant to 28 U.S.C. § 1915(e)(2). Magistrate Judge Kelley also denied plaintiff’s motion seeking to have this action transferred to the Central Division in Worcester.

Now before the Court are plaintiff’s (1) request for “all [of his] cases to be moved to Manhattan New York fed (sic) courthouse,” *see* D. 15, and (2) letter to the Court accompanied by Wells Fargo’s response to Johnson’s account inquiry. *See* D. 16. In these pleadings, Johnson does not expressly object to the Report and Recommendation, but instead requests that the instant case, as well as his other cases, be transferred to another federal court.<sup>1</sup>

---

<sup>1</sup>The Court’s records indicate that Johnson filed five other actions in the District of Massachusetts. *See Johnson v. Shady Grove Adventist Hospital, et al.*, C.A. No. 13-12584-FDS (Jan. 6, 2014, dismissed for failure to state a claim); *Johnson v. Sheet Metal Local #100, et al.*, C.A. No. 13-13223-NMG (pending); *Johnson v. Evans, et al.*, C.A. 14-10864-JGD (pending); *Johnson v. United States Judges*, C.A. No. 14-11273-DPW (Jul. 7, 2014, dismissed as legally frivolous); and *Johnson v. North Carolina Unemployment*, C.A. No. 14-11325-GAO (Jul. 7, 2014, dismissed as legally frivolous).

Upon review of the pleadings in the case, this Court finds that Magistrate Judge Kelley's Report and Recommendation is well-founded. Simply put, plaintiff has not set forth any factual or legal basis from which this Court could find it has subject matter jurisdiction to review this case. The prior decision in *Johnson v. Wells Fargo*, No. 13-00419 (E.D. Va. Apr. 9, 2013) bars plaintiff's present suit under the doctrine of claim preclusion. Moreover, this Court finds that it would be futile to permit plaintiff any further opportunities to amend his complaint. Although a court may transfer a civil case to a different venue "[f]or the convenience of parties and witnesses, in the interest of justice . . . .", 28 U.S.C. § 1404(a), this Court finds that transfer to the U.S. District Court for the Southern District of New York is not appropriate.

### **ORDER**

Accordingly, it is hereby ORDERED that:

- 1) Magistrate Judge Kelley's Report and Recommendation is ADOPTED in its entirety;
- 2) Plaintiff's Motion to Transfer case to the U.S. District Court for the Southern District of New York (D. 15) is DENIED; and
- 3) This action is DISMISSED in its entirety. A separate Order for Dismissal shall enter.

**SO ORDERED.**

/s/ Denise J. Casper  
Denise J. Casper  
United States District Judge