

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAVARON MORRIS,

Plaintiff,

v.

Case Number: 08-CV-15236
Honorable Thomas L. Ludington

JEFFREY WOODS, ET. AL.,

Defendants.

**ORDER TRANSFERRING CASE TO THE UNITED STATES
DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN**

On December 22, 2008, Plaintiff Lavaron Morris filed a *pro se* civil rights complaint alleging a violation of 42 U.S.C. § 1983. Plaintiff is a prisoner of the State of Michigan currently confined at the Kinross Correctional Facility in Kincheloe, Michigan. In the complaint, Plaintiff alleges that Defendants have denied him access to the courts.

The proper venue for civil actions in which jurisdiction is not based on diversity of citizenship is the judicial district where: (1) any defendant resides if all defendants reside in the same state; (2) a substantial part of the events or omissions giving rise to the claim occurred or a substantial part of the property in question is situated; or (3) any defendant may be found if there is no other district in which plaintiff may bring the action. 28 U.S.C. § 1331(b). Public officials “reside” in the county where they serve. *See O'Neill v. Battisti*, 472 F.2d 789, 791 (6th Cir. 1972). Pursuant to 28 U.S.C. § 1404(a), a district court may transfer a civil action to any other district where it might have been brought for the convenience of the parties and witnesses, in the interest of justice.

Having reviewed the complaint, the Court finds that the United States District Court for the Western District of Michigan is a more appropriate forum for this action. Defendants reside in Chippewa County for purposes of the present complaint. Chippewa County is located on Michigan's upper peninsula, which is in the Northern Division of the Western District of Michigan. *See* 28 U.S.C. § 102(b).

Accordingly, it is **ORDERED** that the Clerk of the Court **TRANSFER** this case to the United States District Court for the Western District of Michigan. 28 U.S.C. §§ 1391(b) and 1404(a).

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: January 14, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 14, 2009.

s/Tracy A. Jacobs
TRACY A. JACOBS