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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISIONFILED  
2007 JUN 11 P 4 29

LYNN T. PASLEY,

Plaintiff,

v.

CASE NO. 2:07-CV-12482

HONORABLE LAWRENCE P. ZATKOFF

C/O OLIVER,

Defendant.

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

This is a prisoner civil rights case under 42 U.S.C. § 1983. The plaintiff, Lynn T. Pasley, is a Michigan prisoner currently confined at the Huron Valley Men's Facility in Ypsilanti, Michigan. The actions giving rise to the complaint occurred while he was confined at the Brooks Correctional Facility in Muskegon Heights, Michigan. The plaintiff names Corrections Officer Oliver as the sole defendant in this action and states that Oliver is employed at the Brooks Correctional Facility.

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. *See* 28 U.S.C. § 1391(b). Public officials "reside" in the county where they serve. *See O'Neill v. Battisti*, 472 F.2d 789, 791 (6<sup>th</sup>

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. The only identified defendant, Corrections Officer Oliver, resides in Muskegon County for purposes of the present complaint. Muskegon County lies in the Southern Division of the Western District of Michigan. *See* 28 U.S.C. § 102(b).

Accordingly, the Court **ORDERS** the Clerk of the Court to transfer this case to the United States District Court for the Western District of Michigan. *See* 28 U.S.C. §§ 1391(b) and 1404(a).



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R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: June 11, 2007