

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TONY X BAY, et al,

Plaintiffs,

v.

CASE NO. 2:09-CV-15008  
HONORABLE AVERN COHN

PATRICIA CARUSO, et al.,

Defendants.

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

I.

This is a pro se prisoner civil rights case under 42 U.S.C. § 1983 and other statutes. The complaint names 93 Michigan prisoners currently confined at various state prisons, 76 of whom are confined at prisons located within the Western District of Michigan and 17 of whom are confined at prisons located within the Eastern District of Michigan. The defendants are 54 employees of the Michigan Department of Corrections. The complaint states that 49 of the defendants are employed in Lansing, Munising, Marquette, and Kincheloe, Michigan, but does not indicate where the other five defendants are employed. The complaint concerns conditions of confinement and appears to primarily involve the prisoners placement and treatment while in segregation in various prisons from 1999 to 2008. For the reasons that follow, the case will be transferred to the United States District Court for the Western District of Michigan.

## II.

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. § 1391(b). Public officials “reside” in the county where they serve. See O'Neill v. Battisti, 472 F.2d 789, 791 (6th Cir. 1972). Under 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 Western District of Michigan is a more convenient and appropriate forum for this action. The 49 defendants for whom addresses have been provided reside in Alger, Chippewa, Ingham, and Marquette Counties for purposes of the present complaint. A substantial part of the conduct giving rise to the complaint also appears to have occurred in those counties. Additionally, 76 of the 93 plaintiffs reside in Alger, Baraga, Chippewa, Ionia, Manistee, Marquette, and Muskegon Counties. The identified counties lie in the Southern and Northern Divisions of the Western District of Michigan. See 28 U.S.C. § 102(b).

III.

Accordingly, for the reasons stated above, the Clerk of the Court shall 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).

SO ORDERED.

Dated: January 26, 2010

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to see attached on this date, January 26, 2010, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160

**09-15008 Bay, et al v. Caruso, et al**  
**CERTIFICATE OF SERVICE**

Tony Bay, 251581  
Baraga Maximum Correctional Facility  
13924 Wadaga Road  
Baraga, MI 49908

Raleem Aka Curtis Fuller, 211080  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Xavier Lnu Aka David Gleese, 208526  
Baraga Maximum Correctional Facility  
13924 Wadaga Road  
Baraga, MI 49908

Alonzo Chaney, 253484  
Baraga Maximum Correctional Facility  
13924 Wadaga Road  
Baraga, MI 49908

Jameel Taylor, 249804  
Baraga Maximum Correctional Facility  
13924 Wadaga Road  
Baraga, MI 49908

Steve Graham, 193576  
Baraga Correctional Facility  
13924 Wadaga Road  
Baraga, MI 49908-9204

Delon Golden, 218155  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Damequan Lee, 261370  
Alger Maximum Correctional Facility  
Industrial Park Drive  
P.O. Box 600  
Munising, MI 49862

Obhin Manigo, 206614  
Ionia Maximum Correctional Facility  
1576 W. Bluewater Highway  
Ionia, MI 48846

Dale Clinton, 408591  
Baraga Maximum Correctional Facility  
13924 Wadaga Road  
Baraga, MI 49908

Rosco Martin, 204375  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Morris Martin, 137601  
Thumb Correctional Facility  
3225 John Conley Drive  
Lapeer, MI 48446

Orlando James, 252844  
Standish Maximum Correctional Facility  
4713 West M-61  
Standish, MI 48658

Randolph Reed, 400534  
Alger Maximum Correctional Facility  
Industrial Park Drive  
P.O. Box 600  
Munising, MI 49862

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CERTIFICATE OF SERVICE**

Joseph Payne, 243281  
Alger Maximum Correctional Facility  
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Kenneth Anderson, 186487  
Alger Maximum Correctional Facility  
Industrial Park Drive  
P.O. Box 600  
Munising, MI 49862

James Adrian, 247481  
Michigan Reformatory  
1342 W. Main Street  
Ionia, MI 48846

Irvin Clark, 231871  
Baraga Maximum Correctional Facility  
13924 Wadaga Road  
Baraga, MI 49908

Semajal Tinsley, 238173  
Oaks Correctional Facility  
1500 Caberfae Highway  
Manistee, MI 49660

Joel Jackson, 220082  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Justin Huddleston, 183103  
Michigan Reformatory  
1342 W Main  
Ionia, MI 48846

Maurice Whiting, 246964  
Parnall Correctional Facility  
1780 E. Parnall  
Jackson, MI 49201

Jason Fuller, 211623  
Oaks Correctional Facility  
1500 Caberfae Highway  
Manistee, MI 49660

Jermaine Gulley, 250857  
St. Louis Correctional Facility  
8585 N. Croswell Road  
St. Louis, MI 48880

Tarodd Sherrod, 254758  
Macomb Correctional Facility  
34625 26 Mile Road  
New Haven, MI 48048

Daphius Barron, 226846  
Ionia Maximum Correctional Facility  
1576 W. Bluewater Highway  
Ionia, MI 48846

Phillip Sample, 238818  
Baraga Maximum Correctional Facility  
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Jamarion Mitchell, 386239  
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Keno Brown, 249735  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Rico Thomas, 219127  
Oaks Correctional Facility  
1500 Caberfae Highway  
Manistee, MI 49660

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**CERTIFICATE OF SERVICE**

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Alger Maximum Correctional Facility  
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Carlos Love, 227001  
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Keith Littles, 187132  
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Ricardo Butler, 360219  
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Leon Percival, 220239  
Alger Maximum Correctional Facility  
Industrial Park Drive  
P.O. Box 600  
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James Brock, 350671  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
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Julius Dannerman, 196416  
Alger Maximum Correctional Facility  
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Danyell Thomas, 246713  
Marquette Branch Prison  
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Terrill Bird, 397960  
Ionia Maximum Correctional Facility  
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Carl Scott, 167328  
Baraga Maximum Correctional Facility  
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Deshawn Moore, 607994  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Raymond Moore, 577784  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Ray Fultz, 129354  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Dustin Huffman, 429958  
Marquette Branch Prison  
1960 US Hwy 41 South  
Marquette, MI 49855

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**CERTIFICATE OF SERVICE**

Gene Burks, 198591  
Alger Maximum Correctional Facility  
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Anthony Bethune, 264467  
Standish Maximum Correctional Facility  
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Bobby Overton, 253325  
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Munising, MI 49862

David Patterson, 279884  
St. Louis Correctional Facility  
8585 N. Croswell Road  
St. Louis, MI 48880

Corey Askew, 218238  
Alger Maximum Correctional Facility  
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Rob Bailey, 237838  
Alger Maximum Correctional Facility  
Industrial Park Drive  
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Munising, MI 49862

Nathaniel Hudson, 464170  
Standish Maximum Correctional Facility  
4713 West M-61  
Standish, MI 48658

Ivan Berry, 476623  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Robert Palmer, 179759  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Israel William, 248401  
Kinross Correctional Facility  
16770 S. Watertower Drive  
Kincheloe, MI 49788 W Head, 180071  
Michigan Reformatory  
1342 West Main Street  
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Martin Hall, 195128  
Mound Correctional Facility  
17601 Mound Rd.  
Detroit, MI 48212

Abraham Driver, 244556  
Standish Maximum Correctional Facility  
4713 West M-61  
Standish, MI 48658

Jeffrey Carney, 188923  
Baraga Maximum Correctional Facility  
13924 Wadaga Road  
Baraga, MI 49908

Serell Butts, 360595  
Alger Maximum Correctional Facility  
Industrial Park Drive  
P.O. Box 600  
Munising, MI 49862

Antoine Harris, 374671  
Alger Maximum Correctional Facility  
Industrial Park Drive  
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Munising, MI 49862

Talib Shaw, 246320  
Alger Maximum Correctional Facility  
Industrial Park Drive  
P.O. Box 600  
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David Young, 18862  
Ryan Correctional Facility  
17600 Ryan Road  
Detroit, MI 48212

Rio Bell, 235051  
Thumb Correctional Facility  
3225 John Conley Drive  
Lapeer, MI 48446

Mario Henderson, 212651  
Ryan Correctional Facility  
17600 Ryan Road  
Detroit, MI 48212

Kenneth Barnett, 236847  
Muskegon Correctional Facility  
2400 S. Sheridan  
Muskegon, MI 49442

Louis Macalister, 318937  
Alger Maximum Correctional Facility  
Industrial Park Drive  
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Munising, MI 49862

John Johnson, 250462  
Michigan Reformatory  
1342 West Main Street  
Ionia, MI 48846

William Carter, 325319  
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Marquette, MI 49855

Joseph Jones, 199096  
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13924 Wadaga Road  
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James White, 219184  
Baraga Maximum Correctional Facility  
13924 Wadaga Road  
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Stinare Jones, 347722  
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Maurice Keith, 476569  
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Larry Adams, 245871  
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Michel Wesley, 372812  
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Norman Rivers, 305073  
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Robert Aguilera, 232984  
Alger Maximum Correctional Facility  
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Willie Debardelaben, 240689  
Alger Maximum Correctional Facility  
Industrial Park Drive  
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Joes Skipper, 244675  
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Industrial Park Drive  
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Larry Watkins, 236137  
Alger Maximum Correctional Facility  
Industrial Park Drive  
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Munising, MI 49862

Demetrius Frazier, 230437  
Alger Maximum Correctional Facility  
Industrial Park Drive  
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Jerome Martin, 229792  
Alger Maximum Correctional Facility  
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Stephanale Adams, 229338  
Macomb Correctional Facility  
34625 26 Mile Road  
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Stephon Marshall, 253869  
Ryan Correctional Facility  
17600 Ryan Road  
Detroit, MI 48212

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Anthony Huntley, 321993  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Andrew Calbwell, 577351  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

William Carter, 325319  
Marquette Branch Prison  
1960 U.S. Hwy 41 South  
Marquette, MI 49855

Nicholas Fitzpatrick, 272775  
Baraga Maximum Correctional Facility  
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Scott Correctional Facility  
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Huron Valley Complex - Camp Valley  
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Tamara Marshall, 212812  
Scott Correctional Facility  
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