

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

RICHARD YANG,)
)
Plaintiff,)
)
v.) **Case No. 1:12CV92 SNLJ**
)
GEORGE LOMBARDI, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This is a 42 U.S.C. § 1983 action in which the plaintiff alleges prison officials infringed on his federal constitutional rights by improperly censoring his incoming and outgoing Chinese language mail and by limiting his access to outgoing international telephone calls. Presently before the Court is plaintiff's Motion to Alter or Modify (#73) this Court's July 23, 2014 Order and plaintiff's Motion to Change Venue (#75).

The Court's July 23, 2014 Order (#72) granted summary judgment to defendants on the plaintiff's First Amendment claim concerning his Chinese language mail. The defendants did not move for summary judgment on plaintiff's First Amendment claim regarding his international phone calls or his Fourteenth Amendment claims. Plaintiff's motion to alter or modify repeats the arguments made in his opposition to the first motion for summary judgment. The Court fully considered plaintiff's arguments and concluded that no genuine issue of fact existed as to plaintiff's First Amendment claim regarding his Chinese language mail. Plaintiff's motion to alter or modify will be denied.

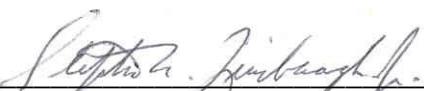
Plaintiff also asks the Court to change venue from the Southeastern Division to the Eastern Division because his location of confinement has changed from Charleston, Missouri to St. Louis County, Missouri. Plaintiff's complaint was properly filed in the Southeastern Division, however, and it remains properly in the Southeastern Division.

Accordingly,

IT IS HEREBY ORDERED that Motion to Alter or Modify (#73) is **DENIED**.

IT IS FURTHER ORDERED that plaintiff's Motion to Change Venue (#75) is **DENIED**.

Dated this 28th day of August, 2014.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE