

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

| | | |
|--------------------------------------|---|-------------------------------------|
| Keelea Foley |) | Civil Action No.: 4:12-cv-00046-RBH |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | ORDER |
| Jaguar Land Rover North America, LLC |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

This lawsuit arises from a dispute between Plaintiff, Keela Foley (“Plaintiff”) and Defendant Jaguar Land Rover North America, LLC (“Defendant”) concerning the sale of an allegedly defective vehicle. Currently pending before the Court is Defendant’s Motion to Correct Venue. [Doc. # 12.] Specifically, Defendant requests that the case be reassigned to the Charleston Division. Although a response to this Motion was due by January 30, 2012, Plaintiff has filed no response in opposition.

Pursuant to Local Civil Rule 3.01(A)(1), “[e]xcept for actions by prisoners and social security cases all civil cases must be assigned to that division of the district . . . where a substantial part of the events or omissions giving rise to the claim occurred, where any natural defendant resides or where any corporate/other organization defendant does business relating to the events or omissions alleged” Further, “[a]ny case may be transferred for case management or trial from one division to another division on motion of any party for good cause shown” Local Rule 3.01(C).

Here, Defendant, in its Notice of Removal, argued that the correct venue for this action was the Charleston Division, as the subject matter of this action occurred in Charleston County. [Doc. # 1, at ¶ 5.] Further, as Defendant points out in its Motion, Plaintiff admits in her Complaint that she resides in Charleston County, the vehicle at issue was purchased from a Charleston dealership, and all repairs referred to in the Complaint occurred at the Charleston

dealership. [Doc. # 12, at 1–3.] Further, Defendant contends that all South Carolina-based witnesses relevant to this action are located in Charleston County. [*Id.* at 3.]

Given that Defendant raised the division assignment upon removal and stated numerous reasons supporting division reassignment in its follow-on motion, coupled with Plaintiff’s failure to object to this case being transferred, this Court finds that good cause exists to transfer this case from the Florence Division to the Charleston Division.

Therefore, it is **ORDERED** that:

1. Defendant’s Motion to Correct Venue is **GRANTED**; and
2. The clerk shall transfer the above-captioned case from the Florence Division to the Charleston Division and reassign the matter to the appropriate judge for further handling of the case.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
February 7, 2012