

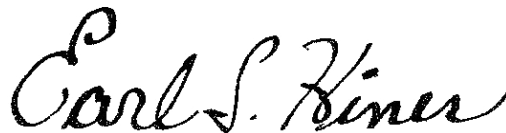


Plaintiff complains of events which occurred at the Clements Unit, which is in Potter County. As a result, plaintiff's claims arose in Potter County. In addition, the defendant appears to reside in Potter County. Pursuant to 28 U.S.C. § 124, Potter County is located in the Amarillo Division of the United States District Court for the Northern District of Texas.

As Potter County is located in the Northern District of Texas, venue in the Eastern District of Texas is not proper. When venue is not proper, the court "shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought." 28 U.S.C. § 1406(a).

Accordingly, this case should be transferred to the Amarillo Division of the United States District Court for the Northern District of Texas. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

**SIGNED** this 28 day of June, 2010.



EARL S. HINES  
UNITED STATES MAGISTRATE JUDGE