

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

DAVID MARK HARDY §
VS. § CIVIL ACTION NO. 1:12cv559
ERNEST GONZALEZ, ET AL. §

MEMORANDUM OPINION REGARDING VENUE

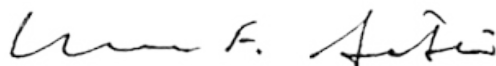
Plaintiff David Mark Hardy, an inmate confined at the Federal Correctional Institution in Beaumont, Texas, proceeding *pro se*, filed this lawsuit pursuant to the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. § 1964, against several individual defendants.

Title 18 U.S.C. § 1965(a) provides that any civil action or proceeding brought pursuant to the RICO act against any person may be instituted in the district court of the United States for any district in which such person resides, is found, has an agent, or transacts his affairs.

The individuals named as defendants in this lawsuit appear to predominantly reside in Lamar County, Texas. As a result, venue is proper in this court. However, Lamar County is located within the Sherman Division of this court, rather than the Beaumont Division. None of the defendants appear to reside in a county located within the Beaumont Division or appear to have an agent or conduct his or her affairs within the Beaumont Division. As a result, this matter

will be transferred to the Sherman Division of this court. A transfer order so providing shall be entered.

SIGNED this 11 day of December, 2012.



KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE