

U.S.C. § 1391. *Jones v. Bailey*, 58 F.R.D. 453 (N.D. Ga. 1972), *aff'd per curiam*, 480 F.2d 805 (5th Cir. 1973).

When, as in this case, jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391 provides that venue is proper only in the judicial district where the defendants reside or in which the claim arose. Plaintiff's claims arose in Pittsburgh, Pennsylvania. In accordance with 28 U.S.C. § 118, Pittsburgh is located within the jurisdictional boundaries of the Western District of Pennsylvania. Further, the defendants reside in Pittsburgh, Pennsylvania where the claims arose.

As Pittsburgh, Pennsylvania is located in the Western District of Pennsylvania, 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). This case should be transferred to the United States District Court for the Western District of Pennsylvania, Pittsburgh Division. An appropriate order so providing will be entered by the undersigned.

SIGNED this the 2nd day of August, 2017.



KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE