

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

AUG 11 2005

Michael N. Milby, Clerk of Court

JAMES CHARLES SMITH,  
(TDCJ-CID #881812)  
Plaintiff,

§  
§  
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§

vs.

CIVIL ACTION H-05-2713

DOUGLAS DRETKE, *et al.*,  
Defendants.

9:05cv177

FILED - CLERK  
U.S. DISTRICT COURT  
2005 AUG 24 AM 10:28  
TX EASTERN - LUFKIN

MEMORANDUM AND OPINION

Plaintiff, a state prisoner proceeding *pro se*, brings this action against Texas prison officials who reside in Polk County and Walker County, Texas. Plaintiff sues seventeen officials for violations of civil rights which occurred at the Polunsky Unit, where he is confined and which is located in Polk County, Texas. Douglas Dretke, Director of the TDCJ-CID, and V. Barrow, offender counselor, are the only two officials who reside in Walker County, Texas.

Accordingly, in the interest of justice and for the convenience of the parties and witnesses, it is hereby ORDERED that this case be TRANSFERRED to the United States District Court for the Eastern District of Texas, Lufkin Division. 28 U.S.C. § § 1391, 1404(a).

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TRUE COPY I CERTIFY  
ATTEST:  
MICHAEL N. MILBY, CLERK

By \_\_\_\_\_ Deputy Clerk

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Plaintiff's motion to proceed *in forma pauperis*, (Docket Entry No. 2),  
is DENIED without prejudice to reconsideration after transfer.

SIGNED at Houston, Texas, on August 10, 2005.

  
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VANESSA D. GILMORE  
UNITED STATES DISTRICT JUDGE