

all employed in Wise County, Texas where the claims arose.¹ When public officials are parties to an action in their official capacities, they reside for venue purposes in the county where they perform their official duties, which in this case is Wise County, Texas. *Holloway v. Gunnell*, 685 F.2d 150, 153 n.3 (5th Cir. 1982); *Lowrey v. Estelle*, 533 F.2d 265, 267 (5th Cir. 1976).

Pursuant to 28 U.S.C. § 124, Wise County is located within the jurisdictional boundaries of the Fort Worth Division of the United States District Court for the Northern District of Texas. As Wise 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). This case should be transferred to the Northern District of Texas, Fort Worth Division. An appropriate order so providing will be entered by the undersigned.

SIGNED this the 10th day of June, 2024.



Christine L Stetson
UNITED STATES MAGISTRATE JUDGE

¹ To the extent plaintiff’s claims may be liberally interpreted as a challenge to his conviction, the United States District Court for the Northern District of Texas is also an appropriate venue to determine the legality of his Wise County conviction.