

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

PAUL K. HOWE

TDCJ-CID # 1473851

v.

JOHN DOE, ET AL.

§
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§

C.A. NO. C-12-225

OPINION AND ORDER OF TRANSFER

This is a civil rights action filed by a state prisoner pursuant to 42 U.S.C. § 1983. He is being held at the Texas Department of Criminal Justice, Correctional Institutions Division's Darrington Unit, which is located in Rosharon, Texas.


In a letter docketed as a civil complaint, plaintiff alleges that defendants failed to protect him by placing the wrong inmate in his cell, which resulted in him being assaulted until he was unconscious. (D.E. 1, at 3-4). He further claims that this inmate was placed in his cell as retaliation by defendants. Id.

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought in (1) a judicial district where any defendant resides, if all defendants reside in the same state, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). In addition, for the convenience of parties and witnesses, and in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. § 1404(a).

In this case, defendants work at the Darrington Unit which is in Brazoria County, Texas. (D.E. 1). Brazoria County lies within the Galveston Division of the Southern District of Texas. 28 U.S.C. § 124(b)(1).

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Southern District of Texas, Galveston Division.

ORDERED this 7th day of August 2012.



BRIAN L. OWSLEY
UNITED STATES MAGISTRATE JUDGE