

United States District Court
Southern District of Texas

ENTERED

March 10, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JAMES CLEVELAND,

Plaintiff,

VS.

TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, *et al.*,

Defendants.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 2:23-CV-00071

OPINION AND ORDER OF TRANSFER

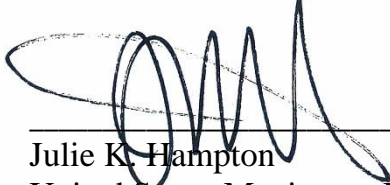
Plaintiff James Cleveland, appearing *pro se*, has filed this prisoner civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff is currently assigned to the Wynne West Unit in Huntsville, Texas. In this action, Plaintiff sues the Texas Department of Criminal Justice (“TDCJ”), Wynne Unit Warden R. Bowers, Wynne Unit Employee J. Williams, TDCJ Executive Director Bryan Collier, and Wynne Unit Business and Finance Division Employee Michelle Soqui. (D.E. 1, p. 3). Plaintiff complains that Defendants provided his personal information and money deposits to another inmate, causing Plaintiff’s sister to receive troubling correspondence from several prisoners. (*Id.* at 4). Plaintiff seeks monetary relief. (*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, the events about which Plaintiff complains occurred in Walker County, Texas. None of the Defendants reside or are found in the Corpus Christi Division of the Southern District of Texas. Walker County lies within the Houston Division of the Southern District of Texas. 28 U.S.C. § 124(b)(2). Therefore, the interests of justice would be served by a transfer to the Houston Division of the Southern District of Texas. Accordingly, it is **ORDERED** that this case be transferred to the United States District Court for the Southern District of Texas, Houston Division. The Clerk of Court is directed to **CLOSE** this case in this division.

ORDERED on March 10, 2023.



Julie K. Hampton
United States Magistrate Judge