

United States District Court
Southern District of Texas

ENTERED

August 16, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DARWIN FISHER,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. 2:17-CV-279
	§	
BOBBY DE LOS SANTOS,	§	
	§	
Defendant.	§	

OPINION AND ORDER OF TRANSFER

This is a civil rights action filed by a Texas state prisoner. Plaintiff Darwin Fisher is currently incarcerated at the John B. Connally Unit in Kenedy, Texas. (D.E. 1, Page 2). In his complaint, Plaintiff alleges he was sexually assaulted by a correctional officer at the Connally Unit. (D.E. 1, Pages 2-3).

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 Karnes County, Texas. (D.E. 1). None of the Defendants resides or is found in the Corpus Christi Division of the Southern District of Texas. Karnes County lies within the San Antonio Division of the Western District of Texas. 28 U.S.C. § 124(d)(4). There is no nexus to the Corpus Christi Division of the Southern District of Texas. Therefore, the interests of justice would be served by a transfer to the San Antonio Division of the Western District of Texas. Accordingly, it is **ORDERED** that this case be transferred to the United States District Court for the Western District of Texas, San Antonio Division. All pending motions are **DENIED as moot** subject to re-filing after the case is transferred. The Clerk of Court is directed to **CLOSE** this case.

ORDERED this 16th day of August, 2017.



Jason B. Libby
United States Magistrate Judge