Preckajlo v. Astrue Doc. 9

## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

## **BLUEFIELD DIVISION**

ALETA PRECKAJLO,	)	
Plaintiff,	)	
<b>v.</b>	)	<b>Civil Action No. 1:11-00687</b>
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of the Social	)	
Security Administration,	)	
	)	
Defendant.	)	

## **MEMORANDUM OPINION AND ORDER**

Pending before the Court is Plaintiff's Motion to Transfer (Document No. 8.), filed on December 6, 2011. Plaintiff seeks a change of venue to the Western District of Virginia pursuant to 28 U.S.C. § 1404. This case was filed in this district on September 30, 2011 (Document No. 2.), and the parties have consented to proceed before a United States Magistrate Judge. (Document Nos. 4 and 5.) Plaintiff states in her Complaint and Motion that she is a resident of Bastian, Bland County, Virginia. (Document Nos. 2 at 1 and 8 at ¶ 1.) Proper venue under 42 U.S.C. § 405(g) is "in the district court of the United States for the judicial district in which the plaintiff resides." 42 U.S.C. § 405(g). Accordingly, it is hereby **ORDERED** that the Clerk shall **TRANSFER** this matter to the Western District of Virginia (Roanoke), pursuant to 28 U.S.C. § 1404(a).

The Clerk is directed to send a copy of this Order to counsel of record.

ENTER: April 16, 2012.

R. Clarke VanDervort

United States Magistrate Judge

Che ( 1) 11000