

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

KEVIN J. MURPHY,

Plaintiff,

v.

CASE NO. 8:19-cv-1408-T-02AEP

SHERIFF BILL PRUMMELL, *et al.*,

Defendants.

ORDER

This cause comes before the Court *sua sponte* pursuant to the provisions of Local Rule 1.02(e). After consideration of the factors set forth in Rule 1.02, the Court concludes that this case is due to be transferred to the Fort Myers Division.

According to Plaintiff's complaint, the Defendants all reside in Charlotte County. Bill Prummell is the Sheriff of Charlotte County and the two other Defendants both reside in Englewood, Florida. Englewood is located in Charlotte County, which is one of the counties comprising the Fort Myers Division. Local Rule 1.02(b)(5). Plaintiff resides in North Port, Florida, which is located in Sarasota County, Florida, one of the counties in this division. Local Rule

1.02(b)(4). The gravamen of the complaint for civil rights violations centers on Plaintiff's arrest in Charlotte County. Dkt. 1 at 4.¹

"All civil proceedings of any kind shall be instituted" in the division encompassing the county having the "greatest nexus" with the case, affording proper concern for the residence of the parties and where the claim arose. Local Rule 1.02(c). The claim arose in Charlotte County and the Defendants reside there. Plaintiff even mailed his complaint for filing to the Fort Myers Division. Dkt. 1-1. Although Plaintiff may reside in this division, on balance, Charlotte County holds the greatest nexus with the cause.

Accordingly, the Clerk is directed to transfer this case to the Fort Myers Division and to close the Tampa case following transfer.

DONE AND ORDERED at Tampa, Florida, on July 2, 2019.

s/William F. Jung
WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:

Counsel of Record and unrepresented parties

¹ In Plaintiff's own words, "[t]he events that gave rise to this action occurred in Charlotte County, Florida." Dkt. 1 at 4.