

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Tresean Tyrese Jones v. James Cox, et al.

Jones · No. 26-1171 · Decided June 3, 2026

SUMMARY

The court transfers Tresean Tyrese Jones’s pro se 42 U.S.C. § 1983 action from the Eastern District of Louisiana to the Western District of Louisiana because the alleged events and defendants are located in Iberia Parish, which lies within the Western District. The court also defers notice concerning payment of the filing fee or submission of an in forma pauperis application to the receiving court.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	June 3, 2026
DOCKET	26-1171
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a pro se 42 U.S.C. § 1983 complaint in the Eastern District of Louisiana without paying the filing fee or submitting an application to proceed in forma pauperis. The court transferred the action sua sponte to the Western District of Louisiana based on venue and the interests of justice.
STANDARD OF REVIEW	Venue-transfer decisions under 28 U.S.C. §§ 1404 and 1406 require an individualized, case-by-case consideration of convenience and fairness, including the interests of justice.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district-court order

TOPICS

- venue
- civil procedure
- section 1983
- prisoners rights

PRACTICE AREAS

- civil procedure
- civil rights
- prisoners rights

QUESTIONS PRESENTED

1. Whether the action should be transferred from the Eastern District of Louisiana to the Western District of Louisiana under the federal venue-transfer provisions.
2. Whether issuance of a deficiency notice concerning payment of the filing fee or an application to proceed in forma pauperis should be deferred to the receiving court.

HOLDINGS

1. The case should be transferred to the United States District Court for the Western District of Louisiana because the alleged events occurred there, the defendants were located there, and the interests of justice and fairness favored that district.
2. Issuance of the deficiency notice and the subsequent determination of pauper status were deferred to the United States District Court for the Western District of Louisiana.

KEY QUOTATIONS

“A court’s transfer inquiry requires an “individualized, case-by-case consideration of convenience and fairness.”” (at 1)

“The interests of justice and fairness to the parties dictate that venue is appropriate in the Western District of Louisiana.” (at 2)

FACTUAL BACKGROUND

Jones, who was incarcerated at the Iberia Parish Jail in New Iberia, Louisiana, brought a pro se action under 42 U.S.C. § 1983 concerning an alleged incident involving Officer James Cox at that jail. Jones named Cox and the Iberia Parish Sheriff’s Office as defendants, and both defendants were located in Iberia Parish. Iberia Parish lies within the geographic boundaries of the Western District of Louisiana. Jones had not paid the filing fee or submitted an application to proceed in forma pauperis when he filed the complaint.

PROCEDURAL HISTORY

Tresean Tyrese Jones filed a deficient pro se civil-rights complaint against Officer James Cox and the Iberia Parish Sheriff’s Office. The alleged events occurred at the Iberia Parish Jail in New Iberia, Louisiana, and the defendants were located in Iberia Parish. The Eastern District of Louisiana transferred the case to the Western District of Louisiana and deferred the deficiency notice and pauper-status determination to the receiving court.

DISPOSITION

other

CASES CITED

- Jones v. Bales, 58 F.R.D. 453 (N.D. Ga. 1972), aff’d, 480 F.2d 805 (5th Cir. 1973)
- Balawajder v. Scott, 160 F.3d 1066 (5th Cir. 1998)
- In re Rolls Royce Corp., 775 F.3d 671 (5th Cir. 2014)

- Atlantic Marine Construction Co. v. United States District Court for the Western District of Texas, 571 U.S. 49, 62 n.6 (2013)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA TRESEAN TYRESE JONES CIVIL ACTION VERSUS NO. 26-1171 JAMES COX, ET AL. SECTION “H” (2) ORDER AND REASONS Plaintiff Tresean Tyrese Jones is incarcerated in the Iberia Parish Jail in New Iberia, Louisiana. ECF No. 1, ¶II, at 2 (Deficient Complaint). Jones filed this pro se complaint under 42 U.S.C. § 1983 against defendants Officer James Cox and Iberia Parish Sheriff’s Office, located in New Iberia, Louisiana, arising from an alleged incident involving Officer Cox at the Iberia Parish Jail.

Id. at 1, ¶III(B)-(C), at 4; ¶IV, at 4-5. At the time of filing, Jones did not pay the filing fee or submit an application to proceed in forma pauperis in this case. As such, his complaint has been docketed as deficient. ECF No. 1 (Deficient Complaint).

In light of the decision to transfer this matter, issuance of a deficiency notice to plaintiff regarding the requirement to either pay the filing fee or submit an application to proceed in forma pauperis to cure the deficiency is deferred to the receiving court.

I. VENUE PROVISIONS Because § 1983 contains no specific venue provision, venue is determined under the general venue provisions of 28 U.S.C. § 1391.1 The general venue statute at 28 U.S.C. § 1391(b) provides as follows: A civil action may be brought in -- (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the 1 See Jones v. Bales, 58 F.R.D.

453 (N.D. Ga. 1972), aff’d, 480 F.2d 805 (5th Cir. 1973). action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.

The provisions of 28 U.S.C. § 1404 and § 1406 allow a court to transfer a case from a district in which venue is wrong to another district or division in which venue is proper, when transfer is in the interest of justice.² The transfer provisions “‘should be regarded as a federal judicial housekeeping measure, dealing with the placement of litigation in the federal courts and generally intended, on the basis of convenience and fairness, simply to authorize a change of courtrooms.’”³ Some of the interests of justice to be weighed by a transferring court include “the cost and ease of litigation,” “the interest in having a case involving local disputes and local law resolved by a local court,” and the facilitation of judicial economy and avoidance of duplicious litigation.⁴ A court’s

transfer inquiry requires an “individualized, case-by-case consideration of convenience and fairness.”⁵ II.

DISCUSSION Jones has presented no basis for this matter to proceed in the Eastern District of Louisiana rather than the Western District of Louisiana. The events complained about took place at Iberia Parish Jail where Jones is currently housed, which is located in New Iberia, Louisiana, within Iberia Parish. ECF No. 1, ¶II, at 2.

The named defendants are all located in Iberia Parish. *Id.*, ¶III(B)-(C), at 4. ² See *Balawajder v. Scott*, 160 F.3d 1066 (5th Cir. 1998). ³ *In re Rolls Royce Corp.*, 775 F.3d 671, 677 (5th Cir. 2014). ⁴ *Id.* at 677-78 (citing *Atl. Marine Const. Co., Inc. v. U.S. Dist. Ct. W.D. Tex.*, 571 U.S. 49, 62 n.6 (2013)). ⁵ *Id.* at 678. ² Iberia Parish falls within the geographical boundaries of the United States District Court for the Western District of Louisiana.

28 U.S.C. § 98(c). The interests of justice and fairness to the parties dictate that venue is appropriate in the Western District of Louisiana. Accordingly, IT IS ORDERED that this case is TRANSFERRED to the United States District Court for the Western District of Louisiana. IT IS FURTHER ORDERED that issuance of a deficiency notice regarding the need to either pay the filing fee or submit an application to proceed in forma pauperis as well as the subsequent determination of pauper status are DEFERRED to the United States District Court for the Western District of Louisiana.

New Orleans, Louisiana, this 3rd_ day of June, 2026. Lornlliltyy [uma UNITED STATES MAGISTRATE JUDGE