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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

ANGELA E. BROOKS-NGWENYA,)	
)	
Plaintiff,)	
)	
v.)	No. 1:15-CV-255-JD
)	
THE MIND TRUST, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Plaintiff Angela E. Brooks-Ngwenya filed a *pro se* copyright infringement complaint and a petition to proceed *in forma pauperis* on September 11, 2015. [DE 1, DE 2]. The Court then ordered her to show cause why this action should not be transferred to the United States District Court for the Southern District of Indiana. [DE 4]. In response, Ms. Brooks-Ngwenya filed a Motion to Submit Plaintiff’s Change of Venue Response, Evidentiary Record and Exhibits in Support [DE 5] and several supplements to that motion. [DE 6, 7, 8]. For the reasons stated below, the Court now transfers this case to the Southern District of Indiana.

The requirements for federal venue are set forth in 28 U.S.C. § 1391(b). That statute provides that 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 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.

Ms. Brooks-Ngwenya fails to explain how venue is proper in the Northern District of Indiana under any of these criteria. She says that she lives in Fort Wayne, but a plaintiff’s residency is irrelevant to the venue calculus. She also complains that her case has been excessively delayed

in the Southern District of Indiana and that she is unable to obtain a fair and unbiased hearing there. But even if those allegations had merit, that would not make venue proper in the Northern District of Indiana.

Furthermore, venue appears proper in the Southern District of Indiana. Ms. Brooks-Ngwenya alleges that the Indianapolis Public Schools and four other entities in Indianapolis used Ms. Brooks-Ngwenya's copyrighted pedagogical system without license to do so. [DE 1 at 2-3]. Thus, a substantial part, if not all, of the events or omissions giving rise to Ms. Brooks-Ngwenya's claim seem to have occurred in the Southern District of Indiana. Indeed, it looks as though Ms. Brooks Ngwenya has already litigated claims similar to those she is advancing in this case to completion in that district.¹ [DE 5-4 at 57-58]. Finally, while the Court notes that Ms. Brooks-Ngwenya appears to have concerns about how her prior litigation transpired in the Southern District of Indiana, this Court does not hear appeals from other district courts.

Pursuant to § 1406(a) and in the interests of justice, this case is **TRANSFERRED** to the United States District Court for the Southern District of Indiana.

SO ORDERED.

ENTERED: October 19, 2015

/s/ JON E. DEGUILIO
Judge
United States District Court

¹ Since this Court concludes that venue is not proper in the Northern District of Indiana, it will not reach the potential claim preclusion issues presented by this prior litigation.