

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-9035
Conference Calendar

CHARLES E. SAUNDERS,

Plaintiff-Appellant,

versus

ROBERT REICH, Secretary of
Labor, ET AL.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:93-CV-255-C
- - - - -
(July 20, 1994)

Before POLITZ, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:*

Charles E. Saunders first challenges the sua sponte transfer of his case, by the district court in the District of Columbia, to the Northern District of Texas.

A district court may sua sponte transfer a case to any other district where the suit might have been brought for the convenience of the parties and in the interests of justice. 28 U.S.C. § 1404(a); Mills v. Beech Aircraft Corp., 886 F.2d 758, 761 (5th Cir. 1989). "Decisions to effect 1404 transfers are

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

committed to the sound discretion of the transferring judge, and review of a transfer is limited to abuse of that discretion." Mills, 886 F.2d at 761 (internal quotations and citation omitted).

Assuming, without deciding, that this Court has jurisdiction to review the transfer order, the facts do not reveal an abuse of discretion by the district court in the District of Columbia. As that court noted: Saunders is a Texas resident; the underlying activities giving rise to the dispute occurred in Texas; the ALJ's decision was issued in Texas; and Saunders, himself, represented that the facts of this case were "intrinsically interwoven" with the facts in Saunders v. Bush, 15 F.3d 64 (5th Cir. 1994), cert. denied, 62 USLW 3824, 3825 (U.S. June 13, 1994) (No. 93-1698), a case then pending before this Court, filed by Saunders in the Northern District of Texas.

Saunders also argues that the District Court for the Northern District of Texas erred in dismissing his suit "without making factual findings sufficient to properly weigh all legally relevant issues."

In its order dismissing Saunders v. Bush, the district court imposed Fed. R. Civ. P. 11 sanctions against Saunders and ordered the clerk "not to accept for filing, any further complaints in this or any other matter in this court until [Saunders] pays, in full, the fines, costs, and fees hereby assessed or unless this court grants [Saunders] special leave to file." This Court found no abuse in the district court's discretionary imposition of sanctions. Saunders, 15 F.3d at 68. The district court

dismissed this case based on Saunders' failure to comply with the sanctions imposed in his earlier case. The court did not abuse its discretion by dismissing this case on that basis. Gelabert v. Lynaugh, 894 F.2d 746, 748 (5th Cir. 1990).

AFFIRMED.