

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

ROBERT RAY YOUNG,

Plaintiff,

v.

**MISSOURI DEPARTMENT OF MENTAL
HEALTH, et al.,**

Defendant.

Case No. 16-2350-JAR-TJJ

MEMORANDUM AND ORDER

Plaintiff Robert Ray Young filed this action against the Missouri Department of Mental Health, and two employees of the Department, Liz Hagar-Mace and Amy Copeland. Plaintiff alleges various claims of housing discrimination against the Department. Before the Court is Defendants' Motion to Dismiss (Doc. 13) under Fed. R. Civ. P. 12(b)(3) for improper venue.

In this district, the standards for deciding a motion to dismiss under Rule 12(b)(3) for improper venue are generally the same as those for deciding a motion to dismiss under Rule 12(b)(2) for lack of personal jurisdiction.¹ 28 U.S.C. § 1391(b) governs venue and requires that "a substantial part of the events or omissions giving rise to the claim occurred" in this district. Plaintiff concedes in his response to the motion that this case should be dismissed for improper venue because all parties are Missouri residents, and because the events giving rise to this action took place in Missouri.

IT IS THEREFORE ORDERED BY THE COURT that Defendants' Motion to Dismiss (Doc. 13) under Fed. R. Civ. P. 12(b)(3) for improper venue is **granted**. This action is hereby dismissed without prejudice.

¹*Mohr v. Margolis, Ainsworth & Kinlaw Consulting, Inc.*, 434 F. Supp. 2d 1051, 1057–58 (D. Kan. 2006).

IT IS SO ORDERED.

Dated: September 6, 2016

S/ Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE