



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

GORDON W. EPPERLY, et al,

Plaintiffs,

v.

UNITED STATES OF AMERICA, et al,

Defendants.

Civil Action No. 90-1103 (CRR)

**FILED**

**MAY 14 1990**

ORDER

JAMES E. DAVEY, Clerk

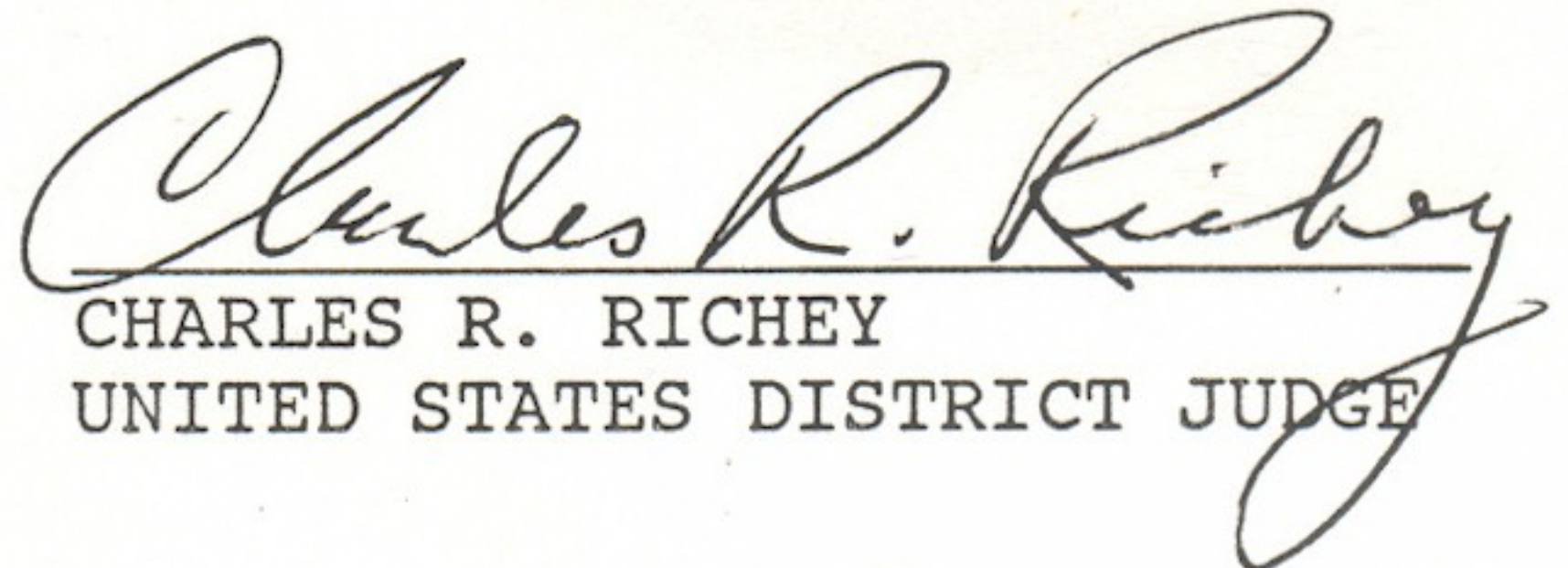
The pro se plaintiffs, four citizens of the State of Alaska, are suing the United States, the State of Alaska, and the City and Borough of Juneau. The excessively long and prolix Complaint makes it difficult for the Court to discern the exact contours of this lawsuit and violates Fed. R. Civ. P. 8(a)(2). In any event, as best as the Court can make out, in addition to some of the more outlandish remedies demanded (such as the invalidation of the Fourteenth Amendment), the plaintiffs seem to: (1) seek full refunds of federal income taxes and local property taxes and (2) attack the classification of their real property located in Alaska as "wetlands."

However, for two reasons, this suit should not be maintained in the District of Columbia. First, one of the specialized venue provisions provides that any civil action against the United States brought under 28 U.S.C. § 1346(a) (governing actions to recover federal internal revenue taxes and certain other civil actions founded upon the Constitution) may be prosecuted only "in the

judicial district where the plaintiff resides." 28 U.S.C. § 1402(a)(1). Since all of the plaintiffs reside in Alaska, this case initially should have been brought in, and should now be transferred to, the United States District Court for the District of Alaska. See 28 U.S.C. § 1406(a). In the alternative, this suit--which involves four plaintiffs who are citizens of Alaska, the State of Alaska and an Alaskan municipality as defendants, and real property located in Alaska--cries out for a change of venue to a District Court in Alaska "for the convenience of parties and witnesses, in the interest of justice." 28 U.S.C. § 1404(a).

Accordingly, it is, by the Court, this 14 day of May, 1990,

ORDERED that, pursuant to 28 U.S.C. §§ 1404(a), 1406(a), the above-captioned case shall be, and hereby is, TRANSFERRED to the United States District Court for the District of Alaska.

  
CHARLES R. RICHEY  
UNITED STATES DISTRICT JUDGE