

APPENDIX

INDEX TO APPENDIX

App. 1a–3a: Order of the United States Court of Appeals for the Ninth Circuit

Denying Petition for Writ of Mandamus, Case No. 26-1069 (March 19, 2026)

App. 4a–7a: Order of the United States District Court for the District of Arizona

Transferring Case to the Western District of Kentucky, Case No. 2:25-cv-04315-

MTL (January 28, 2026)

App. 8a–12a: Relevant Federal Statutory Provisions:

- 25 U.S.C. §§ 1901, 1902, 1903, 1911, 1912, 1914

- 28 U.S.C. §§ 1391(b), 1406(a), 1651(a)

- 42 U.S.C. § 1983

PROOF OF SERVICE

I, Johnny Ray Walls-Bey, declare under penalty of perjury under the laws of the United States of America (pursuant to 28 U.S.C. § 1746) that on this 19th day of August, 2026, as required by Supreme Court Rule 29, I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR A WRIT OF CERTIORARI upon all parties required to be served by depositing true and correct copies in the United States Mail, first-class postage prepaid, addressed as follows:

Counsel for Real Party in Interest Alexis Jordan Austin:
James E. Bruce, Jr., Esq.
1724 South Virginia Street
P.O. Box 603
Hopkinsville, KY 42241-0603

Real Parties in Interest:

Hon. Stephanie J. Perlow, Hon. Jason S. Fleming, and Hon. Susan W. McClure
Christian County Family Court
100 Justice Way
Hopkinsville, KY 42240

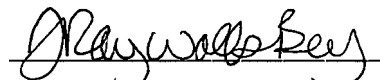
Alexis Jordan Austin
400 N. Elm Street, Apt. 2B
Hopkinsville, KY 42240

Respondent:

United States District Court for the District of Arizona
Office of the Clerk
Sandra Day O'Connor U.S. Courthouse, Suite 130
401 West Washington Street, SPC 1
Phoenix, AZ 85003-2118

United States Court of Appeals for the Ninth Circuit
Office of the Clerk
95 Seventh Street
San Francisco, CA 94103
(Re: Case No. 26-1069)

Executed on August 19, 2026.



JOHNNY RAY WALLS-BEY

Petitioner, Pro Se

Enrolled Member of the Mississippi

Band of Choctaw Indians

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UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAR 19 2026

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: JOHNNY RAY WALLS-BEY.

No. 26-1069

JOHNNY RAY WALLS-BEY,

D.C. No.

2:25-cv-04315-MTL

District of Arizona,

Phoenix,

Petitioner.

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA,
PHOENIX,

Respondent.

STEPHANIE PERLOW; et al.,

Real Parties in Interest.

Before: OWENS, MILLER, and BUMATAY, Circuit Judges.

Petitioner has not demonstrated a clear and indisputable right to the extraordinary remedy of mandamus. *See In re Mersho*, 6 F.4th 891, 897 (9th Cir. 2021) (“To determine whether a writ of mandamus should be granted, we weigh the five factors outlined in *Bauman v. United States District Court*.”); *Bauman v. U.S. Dist. Court*, 557 F.2d 650 (9th Cir. 1977). The petition is denied.

All pending motions are denied as moot.

No further filings will be entertained in this closed case.

DENIED.

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5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Johnny Ray Walls-Bey,

10 Plaintiff,

11 v.

12 Stephanie Perlow, et al.,

13 Defendants.
14

No. CV-25-04315-PHX-MTL

ORDER

15 This matter is before the Court on its own review of the record. On November 17,
16 2025, self-represented Plaintiff Johnny Ray-Walls Bey, proceeding *in forma pauperis*,
17 filed a complaint alleging civil claims. (Docs. 1, 3.) This Court screened the initial
18 complaint (Doc. 13), and Plaintiff has since filed an amended complaint (Doc. 16). To date,
19 Defendants have not filed a responsive pleading, and Plaintiff has not filed notices of
20 service as to them. The Court will transfer this case to the United States District Court for
21 the Western District of Kentucky.

22 **I.**

23 The Court may raise the issue of venue when the defendants have not yet filed a
24 responsive pleading and the time for doing so has not yet run. *Costlow v. Weeks*, 790 F.2d
25 1486, 1488 (9th Cir. 1986). Under 28 U.S.C. § 1391(b), a civil action may be brought in:

- 26 (1) a judicial district in which any defendant resides, if all defendants are
27 residents of the State in which the district is located;
28 (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

1 subject of the action is situated; or
2 (3) if there is no district in which an action may otherwise be brought as
3 provided in this section, any judicial district in which any defendant is subject
4 to the court's personal jurisdiction with respect to such action.

5 While Plaintiff alleges that "substantial acts, communications, and resulting injuries
6 occurred in this district," his claims relate to an ongoing Kentucky state court proceeding
7 in the Christian Circuit Court of Kentucky. (Doc. 16 at 5-9.) Plaintiff also indicates that
8 Defendants are citizens of Kentucky. (*Id.* at 4-5.) Accordingly, venue is improper in this
9 District. *See Costlow*, 790 F.2d at 1488 (affirming an improper venue determination where,
10 although plaintiffs argued their claim arose in Washington, "virtually all of the activity
11 providing the basis of the complaint took place in Alaska").

12 II.

13 When venue has been laid in the wrong district, the Court must "dismiss, or if it be
14 in the interest of justice, transfer such case to any district or division in which it could have
15 been brought." 28 U.S.C. § 1406(a). Whether to dismiss or transfer the case is within the
16 Court's discretion. *Cook v. Fox*, 537 F.2d 370, 371 (9th Cir. 1976) (per curiam).

17 The events giving rise to Plaintiff's claims occurred in Christian County, Kentucky.
18 (*See generally* Doc. 16.) Thus, this action could have been brought in the United States
19 District Court for the Western District of Kentucky. *See* 28 U.S.C. § 97(b). The Court finds
20 a transfer to that District is in the interest of justice.

21 **IT IS THEREFORE ORDERED** that the Clerk of Court **must transfer** this action
22 to the United States District Court for the Western District of Kentucky pursuant to 28
23 U.S.C. § 1406(a). The Clerk of Court must close this case.

24 Dated this 28th day of January, 2026.

25 

26 Michael T. Liburdi
27 United States District Judge
28

**Additional material
from this filing is
available in the
Clerk's Office.**