

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ANNE MARIE KEHOE,)	
)	
Petitioner)	
)	
v.)	
)	1:22-cv-00230-JAW
)	
LARRY A. REYNOLDS,)	
)	
Respondent.)	

ORDER AFFIRMING RECOMMENDED DECISION

On July 27, 2022, the United States Magistrate Judge filed with the Court his Recommended Decision that the Court dismiss Anne Marie Kehoe's petition for writ of habeas corpus under 28 U.S.C. § 2241 for her adult daughter Megan Elizabeth Kehoe. *Recommended Decision After Review of Pet.* (ECF No. 4) (*Recommended Decision*). Ms. Kehoe filed her objections to the Magistrate Judge's Recommended Decision on August 10, 2022. *Resp. to the Pending Dismissal of Pet. for Case 1:22-cv-00230 jaw* (ECF No. 8).

The Court reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record and the Court made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision.

The Court agrees with the Magistrate Judge that Ms. Kehoe does not have the legal right to file a petition for writ of habeas corpus on behalf of a

third party. *See Recommended Decision* at 2. Even though Megan Elizabeth Kehoe is Anne Marie Kehoe's daughter, the petition confirms that Megan Elizabeth Kehoe is an adult and, except in circumstances not present here, the law does not allow an adult to sue on behalf of another adult.

Furthermore, the Magistrate Judge correctly identified that the Court cannot act in the absence of subject matter jurisdiction over a petition for habeas relief. *Id.* at 1 (citing 28 U.S.C. § 2241 and Rule 4 of the Rules Governing Section 2254 Cases). The Court concurs with the recommendations of the United States Magistrate Judge and overrules Ms. Kehoe's objection.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge (ECF No. 4) be and hereby is AFFIRMED.
2. It is further ORDERED that Anne Marie Kehoe's Petition for Writ of Habeas Corpus be and hereby is DISMISSED.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 26th day of August, 2022