

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

DWIGHT DAVID CORMIER                                 §  
VS.   §    CIVIL ACTION NO. 1:10cv43  
DIRECTOR, TDCJ-CID                                 §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Dwight David Cormier, an inmate confined in the Wynne Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner complains of a conviction for possession of a controlled substance from the 184<sup>th</sup> District Court of Harris County, Texas. He was sentenced to 20 years imprisonment.

Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the federal judicial district in which he was convicted or the district in which he is incarcerated.

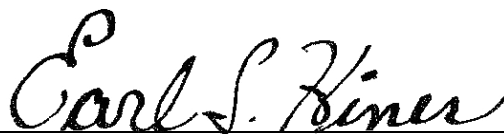
Petitioner's criminal conviction occurred in Harris County. Pursuant to 28 U.S.C. § 124, Harris County is in the Houston Division of the United States District Court for the Southern District of Texas. Moreover, petitioner is currently confined at the Wynne Unit, which is in Walker County, Texas. Pursuant to

Section 124, Walker County is located in the Houston Division of the United States District Court for the Southern District of Texas.

As the above paragraph indicates, petitioner is neither incarcerated in, nor did his criminal conviction occur in the Eastern District of Texas. As a result, this court lacks jurisdiction over the petition.

As the Houston Division of the Southern District is the only court which has jurisdiction over this matter, this petition shall be transferred to such district and division. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

**SIGNED** this 26 day of February, 2010.

A handwritten signature in cursive script that reads "Earl S. Hines". The signature is written in black ink and is positioned above a horizontal line.

EARL S. HINES  
UNITED STATES MAGISTRATE JUDGE