

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

DAO VAN VY

CIVIL ACTION

VERSUS

No. 17-7073

JOHN J. HARTNETT

SECTION I

**ORDER AND REASONS**

Before the Court is a petition<sup>1</sup> filed by Dao Van Vy (“Vy”) pursuant to 28 U.S.C. § 2241. Vy is currently detained at the LaSalle Detention Facility (“LaSalle”) in Jena, Louisiana.<sup>2</sup> Jena—and by extension, LaSalle—lies within the jurisdiction of the Western District of Louisiana, not within the jurisdiction of this Court. Because “the district of incarceration is the only district that has jurisdiction to entertain a [federal petitioner’s] § 2241 petition,” the Court must dismiss Vy’s § 2241 petition. *Lee v. Wetzel*, 244 F.3d 370, 373, 375 (5th Cir. 2001); *see also Hooker v. Sivley*, 187 F.3d 680, 682 (5th Cir. 1999). However, Vy may refile his petition in the Western District of Louisiana. *See Lee*, 244 F.3d at 375.

Accordingly,

**IT IS ORDERED** that the petition is **DISMISSED WITHOUT PREJUDICE**.

New Orleans, Louisiana, August 22, 2017.

  
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LANCE M. AFRICK  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> R. Doc. No. 5.

<sup>2</sup> *See id.*