

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

GWEN BERGMAN,	§	
Petitioner,	§	
	§	
VS.	§	CIVIL ACTION NO.4:10-CV-315-Y
	§	
W. ELAINE CHAPMAN, ¹ Warden,	§	
FMC-Carswell,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS
(With special instructions to the clerk of Court)

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2241 of petitioner Gwen Bergman, along with the May 12, 2010, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until June 2 to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the proposed findings, conclusions and recommendation. The Court concludes that, for the reasons stated by the magistrate judge, the petition for writ of habeas corpus should be dismissed without prejudice.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Gwen Bergman's petition for writ of habeas corpus under 28

¹Although petitioner Gwen Bergman named FMC--Carswell and other individuals as respondents, because this action is a petition for writ of habeas corpus under 28 U.S.C. § 2241, the warden at her institution of confinement, Elaine Chapman is the only proper respondent. The clerk of Court is directed to terminate off the docket the remaining respondents as improper parties in this action.

U.S.C. § 2241 is DISMISSED without prejudice for lack of jurisdiction.

SIGNED June 14, 2010.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE