

United States District Court
Southern District of Texas

ENTERED

July 18, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

MARQUIS JIGGITS,
TDCJ #01554080,

Plaintiff,

VS.

TDCJ-CID, *et al*,

Defendants.

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CIVIL ACTION NO. 3:15-CV-40

ORDER

Plaintiff, Marquis Jiggitts (TDCJ #01554080), is an inmate in the custody of the Texas Department of Criminal Justice - Correctional Institutions Division (“TDCJ”). While incarcerated in the Stringfellow Unit of TDCJ, Jiggitts filed a complaint under the Religious Land Use and Institutionalized Persons Act (“RLUIPA”) alleging that he was not being provided a diet that conformed to his Wiccan religious beliefs (Dkt. 1). When Jiggitts was transferred from the Stringfellow Unit to the McConnell Unit (Dkt. 10), this Court dismissed his claims without prejudice as moot (Dkt. 11). *See Herman v. Holiday*, 238 F.3d 660, 665 (5th Cir. 2001).

Jiggitts has now filed a motion to alter or amend the dismissal order under Rule 59(e) (Dkt. 12). He claims that his case is not moot because he is challenging statewide TDCJ policies, not policies that were limited to the Stringfellow Unit. This is not at all evident from the language of his complaint, which begins its recitation of facts with

Jiggitts's transfer to Stringfellow (it does not say where he was previously incarcerated); only discusses events that took place within Stringfellow; and only describes the specific involvement of Stringfellow personnel—mostly Letti Watkins, the Stringfellow chaplain, and Keith Lopez, the Stringfellow kitchen captain.

In any event, because of the transfer, this division is no longer the proper venue for Jiggitts's claims. The McConnell Unit is located in Bee County, which lies within the Southern District of Texas, Corpus Christi Division. Because this Court dismissed Jiggitts's complaint without prejudice, he may bring his claims there.

Jiggitts's Rule 59(e) motion (Dkt. 12) is **DENIED**.

The Clerk of this Court shall send a copy of this Order to the parties.

SIGNED at Galveston, Texas, on July 15, 2016.



GEORGE C. HANKS, JR.

UNITED STATES DISTRICT JUDGE