

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

NEWTON B. SCHWARTZ, SR.,	}	
	}	
<i>Plaintiff,</i>	}	
v.	}	Civil Case No. 4:07-cv-3494
	}	
LAWRENCE “LARRY” N. CURTIS, <i>et al,</i>	}	
	}	
<i>Defendants.</i>	}	

MEMORANDUM OPINION & ORDER

Pending before the Court are Plaintiff’s Motion and Memorandum in Support of Reconsideration of Court’s Granting Defendants’ Motion to Transfer (Doc. 44) and a Motion and Memorandum in Support of Certification for Immediate Interlocutory Appeal to the Fifth Circuit Court of Appeals (Doc. 45), which were both filed on September 8, 2008.

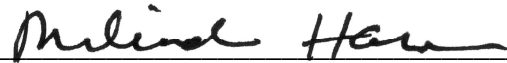
The Court entered a Memorandum Opinion and Order transferring this case to the Western District of Louisiana on August 28, 2008 (Doc. 43). On August 29, 2008, the Court sent a certified copy of the transfer order, a certified docket sheet, and two copies of the transfer letter, along with a return envelope, to the Western District of Louisiana. The Western District of Louisiana received this documentation on September 4, 2008, and filed it under Civil Action No. 6:08-cv-1339. The Court received an acknowledgment of receipt from the Western District of Louisiana on September 22, 2008 (Doc. 48).

“Once the files in a case are transferred physically to the court in the transferee district, the transferor court loses all jurisdiction over the case, including the power to review the transfer.” *Chrysler Credit Corp. v. County Chrysler, Inc.*, 928 F.2d 1509, 1516-17 (10th Cir. 1991) (citing *Roofing & Sheet Metal Serv., Inc. v. La Quinta Motor Inns, Inc.*, 689 F.2d 982,

988-89 n. 10 (11th Cir. 1982); *In Re Nine Mile Limited*, 673 F.2d 242, 243 (8th Cir. 1982); *In re Southwestern Mobile Homes*, 317 F.2d 65, 66 (5th Cir. 1963); *Hyde Constr. v. Koehring Co.*, 348 F.2d 643, 648 (10th Cir. 1965), *rev'd on other grounds*, 382 U.S. 362 (1966)).

Accordingly, the Court finds that it lacks jurisdiction over the motions pending before it. It is, therefore, ORDERED that Plaintiff's motions (Docs. 44 and 45) are DENIED.

SIGNED at Houston, Texas, this 2nd day of October, 2008.

A handwritten signature in black ink, appearing to read "Melinda Harmon", is written over a horizontal line.

MELINDA HARMON
UNITED STATES DISTRICT JUDGE