

United States District Court  
Southern District of Texas

**ENTERED**

January 07, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

ROBERT PALACIOS, SR.

§

Petitioner

§

VS.

§

CIVIL ACTION NO. 6:21-CV-00061

§

UNITED STATES OF AMERICA

§

§

**OPINION AND ORDER OF TRANSFER**

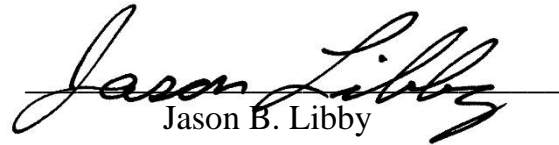
This is a habeas action filed pursuant to 28 U.S.C. § 2241. (D.E. 1). Petitioner Robert Palacios Sr. (034413-479) is incarcerated at FCI Bastrop located in Bastrop County, Texas which is within the jurisdiction of the United States District Court for the Western District of Texas, Austin Division. 28 U.S.C. § 124(d)(1).

It is well established that a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 must be filed in the district where the prisoner is incarcerated. *Hooker v. Sivley*, 187 F.3d 680, 682 (5th Cir. 1999) (citation omitted); *see also Pack v. Yusuff*, 218 F.3d 448, 451 (5th Cir. 2000) (citations omitted). Therefore, even though Petitioner was sentenced within this District, this Court does not have jurisdiction to address Petitioner’s claims.

Rather than dismissal, the Court finds this case is more appropriately transferred. Therefore, the Clerk of Court is **ORDERED** to **TRANSFER** this case to the United States

District Court for the Western District of Texas, Austin Division. All pending Motions are **DENIED** as moot and the Clerk of Court is **DIRECTED** to **CLOSE** this case.

ORDERED on January 7, 2022.

  
Jason B. Libby  
United States Magistrate Judge