

UNITED STATES DISTRICT COURT
WESTERN DISTRICT of TEXAS
SAN ANTONIO DIVISION

IN RE JOANNA ABIGAIL BOYETT,
TDCJ # 1875034,

Movant

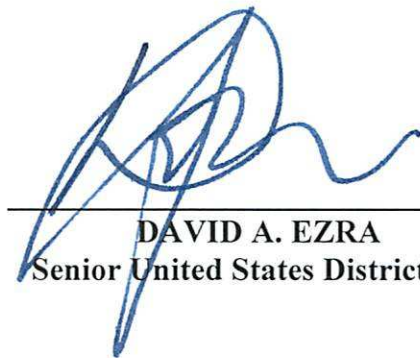
§
§
§
§
§
§

Miscellaneous Case
No. SA-16-MC-750-DE

DISMISSAL ORDER

Movant Joanna Abigail Boyett's Motion for Extension of Time to File 42 U.S.C. § 1983 Civil Rights Complaint is **DENIED** and this case is **DISMISSED** for lack of jurisdiction because Boyett has no civil rights complaint pending in this District. A federal court lacks jurisdiction to consider the timeliness of a civil rights complaint until a complaint is actually filed. *See U.S. v. Callahan*, 70 Fed. App'x 179 (5th Cir. 2003).

DATED: July 27, 2016



DAVID A. EZRA
Senior United States District Judge