IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

EDDIE GENE EVANS,

           Petitioner,   ORDER

     v.

                                            14-cv-246-wmc

LOUISIANA BOARD OF PAROLE,

           Respondent.

Petitioner Eddie Gene Evans filed a writ of habeas corpus pursuant to 28 U.S.C. § 2241 to challenge a parole revocation and detainer lodged against him by the Louisiana Board of Parole. On September 8, 2014, the court dismissed the petition without prejudice for want of prosecution after correspondence in another case filed by Evans was returned "undeliverable" and unable to forward because Evans failed to provide a valid address.

Evans has now filed a motion that seeks to reinstate this case. (Dkt. # 11, "Showing of Good Cause Why Petition for Writ of Habeas Corpus Should Not Be Dismissed".) Evans explains that he has been released from custody of the Wisconsin Department of Corrections and extradited to Louisiana, where he is now incarcerated for violating the terms of his parole from a Louisiana conviction.

The court will deny Evans's motion to reinstate for two reasons. First, to the extent that Evans's detainer has been executed, that portion of his petition is now moot. *See Spencer v. Kemna*, 523 U.S. 1, 7 (1998). Second, to the extent that Evans challenges the revocation of his parole in Louisiana, this court is not the proper forum for a habeas corpus challenge. In order to entertain a habeas corpus action, the court must have personal jurisdiction over

1

the petitioner's custodian. *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 494-95 (1973). Where Evans's parole revocation is concerned, his custodian is the Louisiana Board of Parole. Because the Western District of Wisconsin is not the proper place for Evans to challenge his Louisiana parole revocation, the court will deny the motion to reinstate.

ORDER

IT IS ORDERED THAT that the motion to reinstate by Eddie Gene Evans (Dkt. # 11) is DENIED.

Entered this 2nd day of October, 2014.

BY THE COURT:

/s/

_____
WILLIAM M. CONLEY
District Judge