

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

FRANCES NICOLE LAUGHLIN,	§§	
<i>Petitioner,</i>	§	
	§	
vs.	§	CIVIL ACTION H-06-3108
	§	
NATHANIEL QUARTERMAN, DIRECTOR,	§	
TEXAS DEPARTMENT OF CRIMINAL JUSTICE,	§	
CORRECTIONAL INSTITUTIONS DIVISION,	§	
<i>Respondent.</i>	§	

**MEMORANDUM AND RECOMMENDATION**

Petitioner Frances Laughlin filed this application for writ of habeas corpus relief. Federal habeas corpus petitions brought by state prisoners “may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced him.” 28 U.S.C. § 2241(d). Laughlin is in custody pursuant to a sentence from the 413th Judicial District Court of Johnson County, Texas, which is within the jurisdiction of the United States District Court for the Northern District of Texas. When Laughlin filed this petition, she was confined at the Jesse Dawson State Jail, which is within the jurisdiction of the United States District Court for the Northern District of Texas. Because Laughlin was neither convicted or confined in the Southern District of Texas, this court does not have jurisdiction over his habeas petition. The court therefore recommends that this case be transferred to the United States District Court for the Northern District of Texas.

The parties have ten days from service of this Memorandum and Recommendation to

file written objections. Failure to file timely objections will preclude appellate review of factual findings or legal conclusions, except for plain error. *See* Rule 8(b) of the Rules Governing Section 2254 Cases; 28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72.

Signed at Houston, Texas on November 17, 2006.

  

---

Stephen Wm Smith  
United States Magistrate Judge