

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, WICHITA FALLS DIVISION

Sunsarri Roberts v. Jessica Culle, et al.

No. 7:25-cv-00130-O-BP (N.D. Tex. Jan. 14, 2026) · No. 7:25-cv-00130-O-BP · Decided January 14, 2026

SUMMARY

A magistrate judge recommends dismissal without prejudice of Sunsarri Roberts’s petition for a writ of habeas corpus seeking custody and return of her children. The recommendation concludes that the federal district court lacks subject-matter jurisdiction because the petition seeks federal review of state child-custody and parental-rights matters.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Wichita Falls Division
WRITING FOR THE COURT	Hal R. Ray, Jr.
JURISDICTION	United States District Court for the Northern District of Texas, Wichita Falls Division
DECIDED	January 14, 2026
DOCKET	7:25-cv-00130-O-BP
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff filed a petition for a writ of habeas corpus seeking federal intervention in the custody and possession of her children. The magistrate judge issued findings, conclusions, and a recommendation that the petition be dismissed without prejudice for lack of subject-matter jurisdiction.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- subject matter jurisdiction
- child custody
- parental rights
- family law
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- federal jurisdiction
- child custody
- parental rights

QUESTIONS PRESENTED

1. Whether a federal district court has subject-matter jurisdiction under the federal habeas statutes to review state child-custody or parental-rights decisions and order the return of children.
2. Whether the habeas petition should be dismissed without prejudice for lack of subject-matter jurisdiction.

HOLDINGS

1. Federal habeas corpus jurisdiction does not extend to a petition seeking direct federal review of state child-custody or parental-rights decisions and requesting the return or possession of children.
2. A case dismissed for lack of subject-matter jurisdiction should be dismissed without prejudice because the dismissal is not a determination on the merits.

KEY QUOTATIONS

“The Court therefore lacks jurisdiction to consider Roberts’ habeas petition because she “requests direct federal review” of decisions of child custody.”

“Dismissal for lack of subject-matter jurisdiction should be without prejudice because it “is not a determination of the merits and does not prevent the plaintiff from pursuing a claim in a court that does have proper jurisdiction.””

FACTUAL BACKGROUND

Roberts alleged that Jessica Culle, Susan Worthington, and Christina Cook were unlawfully holding her children in Oklahoma despite an existing court order concerning her possession rights. She sought a writ requiring the children to be brought before the federal court and requested an order awarding her conservatorship of her three children. The magistrate judge treated the petition as an attempt to obtain federal review of child-custody and parental-rights decisions.

PROCEDURAL HISTORY

Roberts filed the habeas petition on December 29, 2025. The matter was automatically referred to Magistrate Judge Hal R. Ray, Jr. on January 2, 2026. The magistrate judge recommended that the district court dismiss the petition without prejudice; the text does not state whether the district judge adopted the recommendation.

DISPOSITION

other

CASES CITED

- Gallegos-Hernandez v. United States, 688 F.3d 190, 194 (5th Cir. 2012)
- United States v. Cleto, 956 F.2d 83, 84 (5th Cir. 1992)
- Lehman v. Lycoming Cnty. Children's Servs. Agency, 458 U.S. 502, 508 (1982)
- Montemayor v. Dallas Cnty. Child Protective Services, No. 3:18-cv-3216-L-BN, 2018 WL 7118011, at *1-*2 (N.D. Tex. Dec. 10, 2018), recommendation adopted, No. 3:18-cv-3216-L-BN, 2019 WL 318365 (N.D. Tex.

Jan. 23, 2019)

- *Hilton v. Braunskill*, 481 U.S. 770, 775 (1987)
- *Gatte v. Upton*, No. 4:14-cv-376-Y, 2014 WL 2700656, at *1 (N.D. Tex. June 13, 2014)
- *Anderson v. Anderson*, No. 4:14-cv-336-O, 2014 WL 3500151, at *1 n.1 (N.D. Tex. July 15, 2014)
- *Stockman v. Fed. Election Comm'n*, 138 F.3d 144, 151 (5th Cir. 1998)
- *Veldhoen v. United States Coast Guard*, 35 F.3d 222, 225 (5th Cir. 1994)
- *Ramming v. United States*, 281 F.3d 158, 161 (5th Cir. 2001)
- *Hitt v. City of Pasadena*, 561 F.2d 606, 608 (5th Cir. 1977)
- *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc), modified by statute on other grounds, 28 U.S.C. § 636(b)(1)