

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
TEXAS, CORPUS CHRISTI DIVISION

Sawyer v. Guerrero

Sawyer · No. 2:26-CV-00027 · Decided January 27, 2026

SUMMARY

The court transfers Thomas Sawyer’s habeas action from the Corpus Christi Division to the McAllen Division of the Southern District of Texas. The court concludes that McAllen is more convenient and serves the interests of justice because Sawyer is incarcerated there and challenges the revocation of mandatory supervision rather than his underlying conviction.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                         |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Southern District of Texas, Corpus Christi Division                                                                                                                                                                                                |
| WRITING FOR THE COURT | Jason B. Libby                                                                                                                                                                                                                                                                          |
| JURISDICTION          | United States District Court for the Southern District of Texas, Corpus Christi Division                                                                                                                                                                                                |
| DECIDED               | January 27, 2026                                                                                                                                                                                                                                                                        |
| DOCKET                | 2:26-CV-00027                                                                                                                                                                                                                                                                           |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                   |
| PROCEDURAL POSTURE    | Petitioner filed a federal habeas petition challenging the revocation of his release to mandatory supervision and the duration of his confinement. The court ordered the action transferred from the Corpus Christi Division to the McAllen Division of the Southern District of Texas. |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                                                                                                             |
| PARTIES               | Thomas Sawyer v. Eric Guerrero                                                                                                                                                                                                                                                          |

TOPICS

- federal habeas corpus
- venue
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- civil procedure
- venue

## QUESTIONS PRESENTED

1. Whether the habeas action should be transferred to the federal division where petitioner was actually confined.
2. Whether the petition, although filed under 28 U.S.C. § 2254, should be construed as a petition under 28 U.S.C. § 2241 because it challenged the fact or duration of confinement resulting from a parole-board decision.

## HOLDINGS

1. The action should be transferred to the McAllen Division of the Southern District of Texas because petitioner was confined there and transfer would be more convenient and further the interests of justice.
2. The petition may be construed as a § 2241 habeas petition because it challenged the fact or duration of confinement by seeking immediate or expedited release based on a parole-board decision.

## KEY QUOTATIONS

*“Because Petitioner is challenging the parole board’s decision regarding the revocation of his release to mandatory supervision, not his underlying convictions, it is more convenient and would further the interests of justice for this action to be handled in the McAllen Division of the Southern District of Texas, where Petitioner is located.” (at 2)*

*“Further, while Petitioner filed this case pursuant to 28 U.S.C. § 2254, it appears the petition may be construed as a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241, which must be filed in the district where the prisoner is incarcerated, as Petitioner is challenging the fact or duration of his confinement by seeking immediate or expedited release from custody.” (at 2)*

## FACTUAL BACKGROUND

Petitioner challenged the revocation of his release to mandatory supervision and the duration of his confinement. His petition listed the Bradshaw Unit in Rusk County as his place of confinement, but the court confirmed that he was actually in custody at the Edinburg Transitional Center in Hidalgo County. The petition appeared to challenge a parole-board decision and sought immediate or expedited release rather than relief from the underlying conviction.

## PROCEDURAL HISTORY

Sawyer filed the habeas case on January 22, 2026, invoking 28 U.S.C. § 2254. Although the petition identified the Bradshaw Unit in Rusk County as his place of confinement, the court confirmed that he was actually confined at the Edinburg Transitional Center in Hidalgo County, within the McAllen Division. Because the challenge concerned parole or mandatory-supervision revocation rather than the underlying conviction, the court transferred the action to the McAllen Division, denied pending motions as moot, and directed the clerk to close the case.

## DISPOSITION

other

## REMAND INSTRUCTIONS

The case was transferred to the United States District Court for the Southern District of Texas, McAllen Division. Pending motions were denied as moot and could be renewed after transfer; the clerk was directed to close the case.

## CASES CITED

- Sawyer v. Polunksy, No. H-97-562 (S.D. Tex. Sept. 28, 2021) (Order)
- Wadsworth v. Johnson, 235 F.3d 959 (5th Cir. 2000)
- Sawyer v. Collins, No. 2:94-cv-134 (S.D. Tex. Mar. 22, 1994) (Order)
- Hooker v. Sivley, 187 F.3d 680, 682 (5th Cir. 1999)
- Pack v. Yusuff, 218 F.3d 448, 451 (5th Cir. 2000)