

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

OSCAR SANCHEZ, et al., on their own
and on behalf of a class
of others similarly situated,

Plaintiffs/Petitioners,

V.

DALLAS COUNTY SHERIFF
MARIAN BROWN, in her official capacity,
and DALLAS COUNTY, TEXAS,

Defendants/Respondents.

CIVIL ACTION NO. 3:20-cv-00832-E

MEMORANDUM OPINION AND ORDER

On April 20, 2020, the Court issued an electronic order denying Defendants’ Motion to Dismiss and Amended Motion to Dismiss (Doc. Nos. 35 and 53). The Court has reconsidered its rulings on those motions and **VACATES** its electronic order (Doc. No. 71). The Court now denies the Motion to Dismiss (Doc. No. 35) as moot and grants the Amended Motion to Dismiss (Doc. No. 53) in part.

In their Amended Motion to Dismiss, Defendants assert that Plaintiffs' habeas claims must be dismissed under Rule 12(b)(6) because they have not exhausted available state court remedies. They also argue that Plaintiffs have not stated a claim for habeas relief because their claims raise questions unrelated to the causes of their detention. The Court addressed these issues in connection with its opinion and order denying Plaintiffs' Motion for Temporary Restraining Order, Preliminary Injunction, ad Writ of Habeas Corpus (Doc. No. 99), and agreed with Defendants. For reasons set out in that opinion, incorporated by reference here, the Court concluded it lacks jurisdiction over Plaintiffs' habeas action and alternatively concluded Plaintiffs' were not entitled

to relief under § 2241. Accordingly, the Court **GRANTS** the Amended Motion to Dismiss in part as it relates to Plaintiffs' habeas action. The Court dismisses with prejudice Plaintiffs' petition for writ of habeas corpus. The Court **DEFERS** ruling on that portion of Defendants' motion directed to Plaintiffs' § 1983 claims.

SO ORDERED.

Signed August 19, 2020.

A handwritten signature in black ink, appearing to read 'Ada Brown', is written over a horizontal line.

ADA BROWN
UNITED STATES DISTRICT JUDGE