

April 26, 2007

Charles R. Fulbruge III
Clerk

**UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT**

No. 07-10487

In Re: RYAN HEATH DICKSON,

Movant.

On Motion for Authorization to File
Successive Petition for Writ of Habeas
Corpus in the United States District Court
Before the Northern District of Texas, Amarillo

Before GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

It is ORDERED that the instant manner-of-execution challenge be TRANSFERRED back to the Northern District of Texas to be decided pursuant to 42 U.S.C. § 1983. *See Hill v. McDonough*, 126 S.Ct. 2096 (2006). It is further ORDERED that the Clerk shall immediately transmit a true copy of this order to the Northern District of Texas and notify all parties of this action.

In doing so, we note our concern about this suit being filed so late and question whether entertaining the suit is consistent with our cases. *See Neville v. Johnson*, 440 F.3d 221, 222 (5th Cir. 2006); *Reese v. Livingston*, 453 F.3d 289, 291 (5th Cir. 2006); *White v. Johnson*, 429 F.3d 572, 574

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

(5th Cir. 2005); *Harris v. Johnson*, 376 F.3d 414 (5th Cir. 2004).