

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DOROTHY DIER, <i>et al.</i> ,	:	
	:	
Petitioners,	:	
	:	
v.	:	Civil Action No. 08-0719 (JR)
	:	
PHYLLIS MADACHY, <i>et al.</i> ,	:	
	:	
Respondents.	:	

MEMORANDUM

This case presents the third attempt by the son of Dorothy Dier to obtain habeas relief for his mother, who is an incapacitated person under the care of a court-appointed guardian in Howard County, Maryland. The petition has been presented to the Court on an emergency basis, but it is 100 pages long. Its substance appears indistinguishable from the previous petition, presented in No. 07-1637 on September 17, 2007, and denied by the undersigned Judge on October 2, 2007. That petition, in turn, was indistinguishable from the one before that, which presented in No. 07-0106 on January 17, 2007 and denied by Judge Kotelly on February 6, 2007.

Both of the earlier petitions were dismissed for want of jurisdiction, because the person or persons alleged to have custody of the petitioner are in Maryland, and the petitioner is in Maryland. The instant petition suffers from the same infirmity and must be dismissed for the same reason.

Under the circumstances, and in view of petitioner's assertion that emergency conditions prevail, this summary order of denial seems appropriate, so that petitioner can prosecute an emergency appeal if he deems it appropriate to do so.

An appropriate order accompanies this memorandum.

JAMES ROBERTSON
United States District Judge