

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Daniel Lafitte Dumonde,

Petitioner,

v.

Warden D. Drew, *et al.*,

Respondents.

Civil Action No. 07-0629 (JDB)

MEMORANDUM OPINION

Petitioner seeks review by this Court of his application for a writ of *habeas corpus*, which he also filed in the United States District Court for the Middle District of Alabama. Upon consideration of the petition, the Court will dismiss the case for lack of jurisdiction.

Petitioner challenges his judgment of conviction entered by an Alabama state court. Federal court habeas review of state convictions is available under 28 U.S.C. § 2254 but only after the exhaustion of available state remedies. *See* 28 U.S.C. §2254(b)(1). Thereafter, "an application for a writ of habeas corpus [] made by a person in custody under the judgment and sentence of a State court . . . may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced [petitioner] and each of such district courts shall have concurrent jurisdiction to entertain the application." 28 U.S.C. § 2241(d). Because petitioner challenges his Alabama state conviction and is incarcerated in Montgomery, Alabama, the Middle District of Alabama is properly situated to entertain his petition. No basis exists for maintaining the action here. The case therefore will be dismissed by separate Order issued contemporaneously.

s/

JOHN D. BATES

United States District Judge

Dated: April 10, 2007