

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

JON MINOTTI,  
Plaintiff,  
v.  
HARLEY G. LAPPIN, Director,  
Federal Bureau of Prisons, et  
al.,  
Defendants.

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: Civil Action No. 07-2006 (JR)  
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MEMORANDUM

Plaintiff Jon Minotti is a Federal prisoner incarcerated in Cumberland, Maryland. Minotti argues that 28 C.F.R. § 550.58(a)(1)(vi)(B) violates Section 706(2)(A) of the Administrative Procedure Act, see Arrington v. Daniels, 516 F.3d 1106 (9th Cir. 2008), and seeks declaratory relief reversing defendants' denial of his request for a sentence reduction pursuant to 18 U.S.C. § 3621(e).

"[A] writ of habeas corpus is the exclusive remedy" for a federal prisoner's claim that the Bureau of Prisons has unlawfully declared him ineligible for a sentence reduction under § 3621. Bourke v. Hawk-Sawyer, 269 F.3d 1072, 1073 (D.C. Cir. 2001). Because the proper respondent to a habeas petition is the warden at the facility where the petitioner is incarcerated, Chatman-Bey v. Thornburgh, 864 F.2d 804, 810 (D.C. Cir. 1988) (en banc), and because such a petition must be filed in the district court that has jurisdiction over the warden, Stokes v. United

States Parole Comm'n, 374 F.3d 1235, 1238 (D.C. Cir. 2004), this case will be transferred to the District of Maryland.

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An appropriate order accompanies this memorandum.

JAMES ROBERTSON  
United States District Judge