

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY - 8 2009

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

DARRYL GREGG,

Petitioner,

v.

B.A. BLEDSOE,

Respondent.

Civil Action No.

09 0851

MEMORANDUM OPINION

This matter comes before the Court on petitioner's application to proceed *in forma pauperis* and *pro se* petition for a writ of habeas corpus.

Petitioner currently is serving terms of imprisonment imposed by the Superior Court of the District of Columbia. *See* Pet. at 3. The District of Columbia Court of Appeals granted summary affirmance of his conviction, and subsequently denied petitioner's motion to recall its mandate. *See id.*, Attach. A-B. Petitioner alleges that the District of Columbia Court of Appeals erred by refusing to address the merits of his constitutional claims, and, therefore, that its judgment affirming his conviction is void. *See generally* Mem. of Law in Support of Pet. for Writ of Habeas Corpus.

It appears that petitioner demands review or reversal of the District of Columbia Court of Appeals' rulings. This Court "is without authority to review final determinations of the District of Columbia Court of Appeals in judicial proceedings." *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 476 (1983). Because it is "[t]he highest court of the District of Columbia," its "[f]inal judgments and decrees . . . are reviewable by the Supreme Court of the

United States in accordance with [28 U.S.C. § 1257].” D.C. Code § 11-102. Furthermore, it is settled that “a District of Columbia prisoner has no recourse to a federal judicial forum unless the local remedy is ‘inadequate or ineffective to test the legality of his detention’” *Byrd v. Henderson*, 119 F.3d 34, 36-37 (D.C. Cir. 1997) (internal footnote omitted); *Garris v. Lindsay*, 794 F.2d 722, 726 (D.C. Cir.), *cert. denied*, 479 U.S. 993 (1986). Petitioner’s lack of success in any previous attempts to collaterally attack his conviction or sentence does not render this remedy inadequate or ineffective. *See Wilson v. Office of the Chairperson*, 892 F. Supp. 277, 280 (D.D.C. 1995).

Accordingly, the Court will dismiss the petition. An Order consistent with this Memorandum Opinion will be issued separately on this date.

Date: *April 23, 2009*



United States District Judge