

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

**MAY - 5 2010**

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

Michael C. Robinson,

Petitioner,

v.

John Adams et al.,

Respondents.

Civil Action No.

**10 0709**

MEMORANDUM OPINION

This matter comes before the court on the plaintiff's pro se complaint and application to proceed in forma pauperis. The Court will grant the application to proceed in forma pauperis and will dismiss the complaint for lack of jurisdiction.

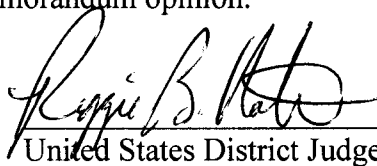
Petitioner is incarcerated in Amarillo, Texas, in a facility that is not operated by the Federal Bureau of Prisons. He does not identify the court that sentenced him, but attacks his conviction and sentence claiming ineffective assistance of counsel, among other things. He does not indicate that he is in prison under a federal sentence, and his prison number indicates that he is not a federal prisoner. Based on the information provided, the petition will be construed as one filed by a prisoner under a state sentence seeking habeas review under 28 U.S.C. § 2254.

Federal court review of state convictions is available under 28 U.S.C. § 2254 only after the exhaustion of available state remedies. *See* 28 U.S.C. §2254(b)(1). Once the state remedies are exhausted, "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). The petition does not indicate whether the petitioner has exhausted his state remedies. To the extent that the prisoner has exhausted his state remedies, his federal recourse lies in the United States District Court for the Northern District of Texas. Because the petitioner has not established that this Court has jurisdiction over this petition, it will be dismissed.

A separate final order accompanies this memorandum opinion.

Date: *April 14, 2010*

  
United States District Judge