

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

**AUG 10 2010**

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

Eric Peterson,

Petitioner,

v.

Duke Terrell,

Respondent.

Civil Action No.

**10 1346**

MEMORANDUM OPINION

This *pro se* action brought under 28 U.S.C. § 2241 by a prisoner seeking a sentence reduction and his immediate release was transferred from the United States District Court for the Eastern District of New York on the assumption that this Court sentenced the petitioner. Petitioner states that he “was convicted in the District of Columbia, for Possession with Intent to Distribute Cocaine, and on or about October 1, 2003, the court imposed a sentence of 128 months of imprisonment.” Pet. at 1-2. But a search of this Court’s criminal dockets located no such case.<sup>1</sup> Thus, it is surmised that the petitioner was sentenced by the Superior Court of the District of Columbia. Because this Court lacks jurisdiction to entertain petitioner’s application and also lacks “the authority to transfer [a case] to a state court,” *Park v. Arnott*, 1992 WL 184521 (D.D.C., July 14, 1992), it will dismiss the case without prejudice to plaintiff refiling the action in Superior Court. A separate Order accompanies this Memorandum Opinion.

Date: August 4, 2010

  
United States District Judge

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<sup>1</sup> In a criminal action filed December 29, 2003, this Court sentenced a similarly named individual, Eric Alonzo Peterson, on November 9, 2005, to 60 months’ imprisonment. See generally *USA v. Allen*, Crim. Action No. 03-557 (Defendant (7)).