

**FILED**  
MAY 31 2011  
Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

Defendants.

Civil Action No.

11 1017

This matter is before the Court on review of the plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed pursuant to 28 U.S.C. § 1915A (requiring dismissal of a prisoner's complaint upon a determination that the complaint, among other grounds, fails to state a claim upon which relief can be granted).

The plaintiff is a Montana state prisoner. He has filed a document captioned “Common Law Petition for a Common Law Writ of Mandamus,” but the action he seeks to compel makes no sense. *See* Compl. at 4 (seeking, *inter alia*, order “to remove, dismiss and discharge any and all Black Kingdom I white women from any/all Black Kingdom I services . . .”). Plaintiff claims that he is “illegally imprisoned” at the Montana correctional facility. Compl. at 1. To the extent that he challenges his incarceration, plaintiff has no recourse here. 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). 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). A separate Order of dismissal accompanies this Memorandum Opinion.

  
United States District Judge

Date: May 25, 2011