

**FILED**

**AUG 31 2011**

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

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Donald Adam Penrod,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. <b>11 1579</b>
	)	
John Suthers <i>et al.</i> ,	)	
	)	
Defendants.	)	

MEMORANDUM OPINION

This matter is before the Court on review of 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 case for lack of jurisdiction.

Plaintiff is a Colorado prisoner incarcerated in Pueblo, Colorado. He has filed, pursuant to Fed. R. Civ. P. 60(b)(4), an "Independent Action to vacate a habeas corpus judgment" presumably entered by his sentencing court. Compl. at 1. This Court lacks jurisdiction to review the judgments of other courts. *See* 28 U.S.C. §§ 1331, 1332 (general jurisdictional provisions); *Fleming v. United States*, 847 F. Supp. 170, 172 (D.D.C. 1994), *cert. denied* 513 U.S. 1150 (1995). 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). Petitioner has no recourse in this Court. A separate Order of dismissal accompanies this Memorandum Opinion.

Date: August 16, 2011

  
United States District Judge