

**FILED**

**APR 26 2013**

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

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

GENE ALLEN, )  
)  
Petitioner, )  
)  
v. )  
)  
STATE OF NEVADA, )  
)  
Respondent. )

Civil Action No. **13 0584**

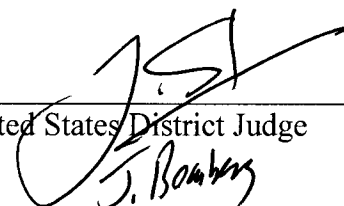
**MEMORANDUM OPINION**

This matter is before the Court on consideration of the petitioner’s application to proceed *in forma pauperis* and his *pro se* petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging his conviction in the state courts of Nevada. As this Court previously has explained, petitioner has no recourse in this federal district:

Federal court review of state convictions is available under 28 U.S.C. § 2254 but 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). To the extent that petitioner has exhausted his state remedies, his federal recourse lies in the United States District Court for the District of Nevada.

*Allen v. U.S. Supreme Court Office of the Clerk*, No. 10-1001, 2010 WL 2484507, at \*1 (D.D.C. June 15, 2010). Accordingly, the Court will deny the petition and dismiss this civil action. An Order is issued separately.

DATE: *Apr. 19, 2013*

  
United States District Judge

*(NS)*

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