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JAN 30 2014

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Jermaine J. Dunlap,)
)
 Plaintiff,)
)
 v.)
)
 Department Review Board *et al.*,)
)
 Defendants.)

Civil Action No. **14-145**

MEMORANDUM OPINION

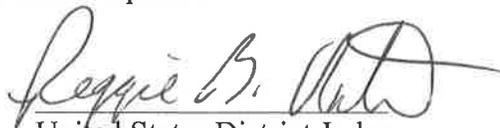
The plaintiff, a California state prisoner, has submitted a hodgepodge of documents containing various captions and incoherent statements. Similar to the plaintiff's prior actions, this action is difficult to comprehend. *See Dunlap v. Board of Prison Hearings*, No. 1:08-cv-1770, 2009 WL 1759651, at *3 (E.D. Cal. Jun. 22, 2009) (dismissing amended habeas petition presenting "the same incomprehensible allegations [stated] on three separate [prior] occasions").

The instant documents suggest that the plaintiff is challenging his California state conviction and/or sentence. 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). The district court in California has afforded the plaintiff "three opportunities to state a claim for federal habeas relief," *Dunlap*, 2009 WL 1759651, at *3, and the plaintiff has no recourse in habeas in

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the District of Columbia. In addition, the documents reveal no potentially cognizable civil claim. Therefore, this case will be dismissed with prejudice for failure to state a claim upon which relief can be granted. *See* 28 U.S.C. § 1915A (requiring the Court to screen and dismiss a prisoner's complaint upon a determination that it fails to state a claim upon which relief may be granted). A separate Order accompanies this Memorandum Opinion.


United States District Judge

Date: January 7, 2014