

**FILED**

**JUN 22 2015**

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

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Samuel James Jackson,

Petitioner,

v.

United States of America *et al.*,

Respondents.

Case: 1:15-cv-00976

Assigned To : Unassigned

Assign. Date : 6/22/2015

Description: Pro Se Gen. Civil (F Deck)


MEMORANDUM OPINION

Petitioner, proceeding *pro se*, resides in Temple, Texas. He has submitted a pleading captioned “Petition for Issuance of the Great Writ of Habeas Corpus and [All Writs] Declaratory, Injunctive Relief” and an application to proceed *in forma pauperis*. Petitioner has named as respondents the United States, the State of Texas, Time Warner, and the Federal Communications Commission. For the reasons explained below, the Court will grant the *in forma pauperis* application and will dismiss the case.

“[T]he essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and . . . the traditional function of the writ is to secure release from illegal custody.” *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973). Consequently, “the writ, or order to show cause[,] shall be directed to the person having custody of the person detained.” 28 U.S.C. § 2243. Petitioner does not claim to be a “prisoner” in custody by virtue of “order, process, judgment or decree of a court or judge of the United States” or that of a state court. 28 U.S.C. § 2241(c). Therefore, no federal court can exercise jurisdiction in habeas. *See generally* § 2241 (“Power to grant writ”). Furthermore, the rambling statements comprising the petition are

largely incomprehensible and, thus, provide no notice of a claim for the declaratory and injunctive relief petitioner seeks. *See* Fed. R. Civ. P. 8 (requiring pleading to contain “(1) a short and plain statement of the grounds for the court's jurisdiction [and] (2) a short and plain statement of the claim showing that the pleader is entitled to relief”). Hence, this case will be dismissed. A separate order accompanies this memorandum opinion.

DATE: June 18<sup>th</sup>, 2015

  
United States District Judge