

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Calvin Wedington,

Petitioner,

v.

USA *et al.*,

Respondents.

Case: 1:16-cv-01014

Assigned To : Unassigned

Assign. Date : 5/31/2016

Description: Habeas Corpus/2255 (G Deck)

MEMORANDUM OPINION

Petitioner, proceeding *pro se*, is incarcerated at the Federal Medical Center in Rochester, Minnesota. He has submitted a Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 and an application to proceed *in forma pauperis*. A district court lacking jurisdiction over a habeas petitioner's immediate custodian lacks jurisdiction over the petition. *Stokes v. U.S. Parole Comm'n*, 374 F.3d 1235, 1239 (D.C. Cir. 2004). *See Rooney v. Sec'y of Army*, 405 F.3d 1029, 1032 (D.C. Cir. 2005) (habeas "jurisdiction is proper only in the district in which the immediate . . . custodian is located") (internal citations and quotation marks omitted).

This Court cannot exercise jurisdiction over petitioner's warden in Minnesota, but the interest of justice would not be served by transferring the case because petitioner has stated no cogent grounds for relief. *See Mayle v. Felix*, 545 U.S. 644, 649 (2005) ("Rule 2(c) of the Rules Governing Habeas Corpus Cases requires a more detailed statement [than Rule 8(a) of the Federal Rules of Civil Procedure]. The habeas rule instructs the petitioner to 'specify all the

grounds for relief available to [him]' and to 'state the facts supporting each ground.'"). Hence, this case will be dismissed without prejudice. A separate Order accompanies this Memorandum Opinion.

Date: May 26, 2016


United States District Judge