

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

**NOV 20 2017**

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

_____ )	
ROGER CHARLES DAY, JR., )	
)	
Plaintiff, )	
)	
v. )	Civil Action No. 17-1985 (UNA)
)	
DONALD TRUMP, )	
)	
Defendant. )	
_____ )	

**MEMORANDUM OPINION**


The plaintiff, a federal prisoner, “was convicted of wire fraud, conspiracy to commit wire fraud, conspiracy to commit money laundering, and conspiracy to commit smuggling for his role as the mastermind of a multi-million dollar scheme to defraud the Department of Defense,” and the court “imposed a sentence of 105 years in prison along with substantial fines, forfeitures, and restitution.” *United States v. Day*, 700 F.3d 713, 716 (4th Cir. 2012) (affirming convictions and sentence); *cert. denied*, 133 S. Ct. 2038 (2013). According to the plaintiff, the defendant has violated 18 U.S.C. § 3192 by failing to ensure that the plaintiff was tried only for the offenses specified in the warrant of extradition. *See* Compl. at at 2-3.

The plaintiff maintains that he is incarcerated in violation of the United States Constitution, federal law, and the Extradition Treaty between the United States and Mexico. *See id.* He now demands that the Court fashion equitable relief, *id.* at 3-4, which presumably would call for either an order vacating his criminal conviction, or for the plaintiff’s immediate relief from custody, or both. As the plaintiff well knows, this Court has no jurisdiction to entertain a

challenge to the sentence imposed by the United States District Court for the Eastern District of Virginia or to his current custody. *See Day v. Obama*, No. 15-cv-671, 2015 WL 2122289 (D.D.C. May 1, 2015), *aff'd*, 860 F.3d 686 (D.C. Cir. 2017).

For these reasons, the complaint will be dismissed. An Order accompanies this Memorandum Opinion.

DATE: 11/8/17

  
United States District Judge