

FILED

JAN - 4 2018

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

JEREMIAH LANE.

Petitioner,

$$\mathbf{v}_i$$

UNITED STATES OF AMERICA.

Respondent.

Civil Action No. 17-2621

MEMORANDUM OPINION

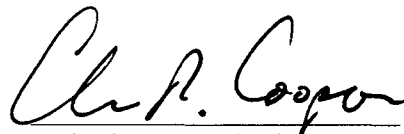
This matter is before the Court on review of a *pro se* pleading styled “Notice of Appeal of ‘Last Resort’ Denied 28 U.S.C. 2255 In United States District Court,” which is construed as a motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255. It appears that petitioner entered a guilty plea in the United States District Court for the Southern District of Georgia, was sentenced to a 207-month term of incarceration, and now challenges the criminal convictions.

To the extent that a remedy is available to the petitioner, his claim must be addressed to the sentencing court in a motion under 28 U.S.C. § 2255. *See Taylor v. U.S. Bd. of Parole*, 194 F.2d 882, 883 (D.C. Cir. 1952); *Ojo v. Immigration & Naturalization Serv.*, 106 F.3d 680, 683 (5th Cir. 1997). Section 2255 provides that:

[a] prisoner in custody under sentence of a court established by Act of Congress claiming the right to be released upon the ground that the sentence was imposed in violation of the Constitution or laws of the United States, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral attack, may move the court which imposed the sentence to vacate, set aside or correct the sentence.

28 U.S.C. § 2255(a).

The Court has reviewed the attachments to the petition, and finds that the petitioner has been denied relief under § 2255. In these circumstances, the petitioner must seek permission from the appropriate court of appeals to file a successive petition in the sentencing court. *See* 28 U.S.C. § 2255(h). In any event, the petitioner has no recourse in this federal district court, and the petition will be dismissed. An Order accompanies this Memorandum Opinion.


United States District Judge

Date: 1-3-18