

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

NOV 19 2018

DANNY R. JACOBS,

Petitioner,

v.

UNITED STATES OF AMERICA, *et al.*,

Respondents.

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Clerk, U.S. District and  
Bankruptcy Courts

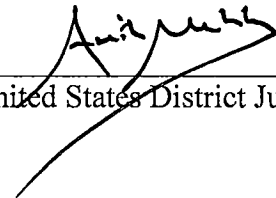
Civil Action No. 18-cv-02058 (UNA)

**MEMORANDUM OPINION**

This matter is before the court on its initial review of petitioner's *pro se* "complaint" ("Compl."), motion for release ("Mot."), and application for leave to proceed *in forma pauperis*. Petitioner is a North Carolina state prisoner designated to the Pender Correctional Institution, located in Burgaw, NC. Compl. at caption. He was convicted in Robeson County Superior Court in North Carolina. *Id.* at 2.

Petitioner challenges his conviction in both the complaint and the motion for release. *Id.* at 1–3; Mot. at 2. However, under applicable law, "an application for a writ of habeas corpus [ ] made by a person in custody under the judgment and sentence of a State court . . . may [only] 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).

Therefore, this Court lacks jurisdiction over petitioner's § 2254 habeas complaint and motion for release, and this action will be dismissed. A separate Order accompanies this Memorandum Opinion.

  
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United States District Judge

Date: November 16, 2018