

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

John A. Coleman,	)	
	)	
Petitioner,	)	
	)	Civil Action No. 18-3012 (UNA)
	)	
	)	
Lorie Davis,	)	
	)	
Respondent.	)	

**MEMORANDUM OPINION**

Petitioner, appearing *pro se*, is a Texas state prisoner incarcerated in Amarillo, Texas. He has filed an application to proceed *in forma pauperis* and a document captioned “Writ of Prohibito with Memorandum in Support” [Dkt. # 1]. Asserting that his criminal indictment and conviction are “null and void,” petitioner asks respondent Director of Texas Department of Criminal Justice “to cease the illegal incarceration and imprisonment of Coleman against his liberties.” Pet. at 1. Petitioner baldly concludes that he “has shown by clear and convincing evidence that [his] conviction and incarceration [are] illegal and being illegally imposed,” *id.* at 2, and thus seeks his release “unconditionally” and expungement of “his record.” *Id.*

A challenge to a state conviction must proceed under 28 U.S.C. § 2254, which requires that the petitioner first exhaust his available state remedies. *See id.* §2254(b)(1). Thereafter, an application under § 2254 “may be filed in the district court for the district wherein such person is in custody or in the district court for the district [where] 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). This Court lacks authority to entertain the

instant petition; therefore, this case will be dismissed. A separate order accompanies this Memorandum Opinion.

/s/ Timothy J. Kelly  
TIMOTHY J. KELLY  
United States District Judge

Date: January 8, 2019