

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

NOV - 3 2021

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

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DAVID HALL CRUM,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No. 21-2582 (UNA)

**MEMORANDUM OPINION**

This matter is before the Court on petitioner's application to proceed *in forma pauperis* and a *pro se* pleading construed as a petition for a writ of habeas corpus. As petitioner well knows, *see, e.g., Crum v. United States*, No. 1:20-CV-01351, 2020 WL 2769473, at \*1 (D.D.C. May 27, 2020); *Crum v. United States*, No. 19-CV-03769, 2020 WL 515963, at \*1 (D.D.C. Jan. 30, 2020), he must proceed in the Superior Court of the District of Columbia under D.C. Code § 23-110. He has no recourse in federal court "if it appears that [he] has failed to make a motion for relief under this section or that the Superior Court has denied him relief, unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his detention." D.C. Code § 23-110(g); *see Williams v. Martinez*, 586 F.3d 995, 998 (D.C. Cir. 2009); *Garris v. Lindsay*, 794 F.2d 722, 727 (D.C. Cir. 1986).

Petitioner alleges that he has filed a petition for a writ of habeas corpus in the Superior Court. His remedy under District of Columbia law is neither inadequate nor ineffective because the judge to whom the case is assigned has not yet scheduled a hearing.

The Court will grant petitioner's *in forma pauperis* application and dismiss the petition without prejudice. An Order consistent with this Memorandum Opinion is issued separately.

DATE: November 3, 2021

/s/

COLLEEN KOLLAR-KOTELLY  
United States District Judge