

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

SARAH ELIZABETH FLANDERS,

Petitioner,

v.

COMMONWEALTH OF VIRGINIA,

Respondent.

Civil Action No. 21-3224 (UNA)

MEMORANDUM OPINION

Petitioner, appearing pro se, is a Virginia state prisoner incarcerated at the Fluvanna Correctional Center for Women in Troy, Virginia. She has filed an application to proceed in forma pauperis and a “Petition Under Title 28 U.S.C. § 2254 For Writ of Habeas Corpus By A Person In State Custody.” For the following reasons, this case will be dismissed.

Section 2254 authorizes federal courts to “entertain an application for a writ of habeas corpus in behalf of a person in custody pursuant to the judgment of a State court only on the ground that [s]he is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2254. Before obtaining review, a petitioner must first exhaust her available state remedies. See 28 U.S.C. §2254(b)(1). Thereafter, she may file an application under § 2254 “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).

Petitioner was convicted in Virginia Beach Circuit Court, Pet. at 1, and she is in Virginia's custody. Therefore, this Court lacks jurisdiction over the instant petition. A separate order of dismissal accompanies this Memorandum Opinion.

Date: December 16, 2021

_____/s/_____
CHRISTOPHER R. COOPER
United States District Judge