

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

RUSSELL K. HILL,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 21-3289 (UNA)
)	
NANCY PELOSI,)	
)	
Respondent.)	

MEMORANDUM OPINION

This matter is before the Court on consideration of Russell K. Hill’s application to proceed *in forma pauperis* and *pro se* petition for a writ of habeas corpus. Petitioner is a Mississippi prisoner who currently is incarcerated at the Marshall County Correctional Facility in Holly Springs, Mississippi. Generally, petitioner challenges his criminal convictions and sentence, and demands his release from custody.

A habeas action is subject to jurisdictional and statutory limitations. *See Braden v. 30th Judicial Cir. Ct. of Ky.*, 410 U.S. 484 (1973). The proper respondent in a habeas corpus action is petitioner’s custodian, *Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004), who ordinarily is the warden of the facility where a petitioner is housed, *see Chatman-Bey v. Thornburgh*, 864 F.2d 804, 811 (D.C. Cir. 1988). And this “district court may not entertain a habeas petition involving present physical custody unless the respondent custodian is within its territorial jurisdiction.” *Stokes v. U.S. Parole Comm’n*, 374 F.3d 1235, 1239 (D.C. Cir. 2004). The petition neither names petitioner’s custodian as a respondent, nor demonstrates that the proper respondent is in the District of Columbia.

The Court will grant petitioner's application to proceed *in forma pauperis* and dismiss his petition without prejudice for want of jurisdiction. A separate order accompanies this Memorandum Opinion.

DATE: January 4, 2022

/s/
TANYA S. CHUTKAN
United States District Judge