

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

FABRICE SNOWDEN,

Petitioner,

v.

MERRICK GARLAND, *et al.*,

Defendants.

Case No. 22-cv-947 (CRC)

MEMORANDUM OPINION

Petitioner Fabrice Snowden, who is incarcerated at a federal prison in New Jersey, filed this *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. See Pet. at 1. Snowden challenges his 2007 conviction and 360-month sentence imposed following a guilty plea in the District of Maryland to one count of sexually exploiting a minor for the purpose of producing child pornography, in violation of 18 U.S.C. § 2251(a). See id. at 6; Judgment at 1–2, United States v. Snowden, No. 07-cr-100 (D. Md. Oct. 23, 2007). In his petition, Snowden claims, among other things, that the statute he was convicted under cannot be constitutionally applied to him, that federal prosecutors did not have authority to pursue the charges against him, and that he was denied due process of law. See Pet. at 8. As explained below, the Court will dismiss the petition for lack of jurisdiction.

District courts may only grant habeas relief “within their respective jurisdictions.” 28 U.S.C. § 2241(a). “Because ‘[a] writ of habeas corpus does not act upon the prisoner who seeks relief, but upon the person who holds him in . . . custody,’ a court may issue the writ only if it has jurisdiction over that person.” Stokes v. U.S. Parole Comm’n, 374 F.3d 1235, 1237–38 (D.C. Cir. 2004) (quoting Braden v. 30th Judicial Cir. Ct. of Ky., 410 U.S. 484, 494 (1973)); see also Rumsfeld v. Padilla, 542 U.S. 426, 442 (2004). Here, the only proper respondent to Snowden’s

§ 2241 action is his immediate custodian—the warden at the Federal Correctional Institution where he is being held. See Pet. at 1 (naming wardens “Carroll” and “Harris” as respondents). Snowden is currently incarcerated at FCI Fairton, in Fairton, New Jersey, so he must bring any claim for relief under § 2241 in the District of New Jersey—not in this Court. See *Inmate Locator*, Federal Bureau of Prisons, <https://www.bop.gov/inmateloc/> (search for Fabrice Robert Snowden as of June 6, 2022).

Because the Court does not have jurisdiction over Snowden’s petition, it will dismiss this matter without prejudice. A separate Order shall accompany this memorandum opinion.

CHRISTOPHER R. COOPER
United States District Judge

Date: June 6, 2022