

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

STEVEN MALCOLM HUNTER,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 1:22-cv-01800 (UNA)
	)	
WARDEN,	)	
	)	
Respondent.	)	

**MEMORANDUM OPINION**

This matter is before the court on its initial review of petitioner’s *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, ECF No. 1, and application for leave to proceed *in forma pauperis*, ECF No. 2. Petitioner is a state prisoner in the custody of the North Carolina Department of Public Safety. Per the petition, he was convicted in Pitt County District Court, located in Greenville, North Carolina. Petitioner challenges the constitutionality of that conviction and sentence, alleging that he was improperly prosecuted under a North Carolina state statute. He seeks an expungement from the Pitt County District Court.

Federal court review of state convictions is available under 28 U.S.C. § 2254 only after the exhaustion of available state remedies. 28 U.S.C. § 2254(b)(1). Thereafter, “an application for a writ of habeas corpus [ ] made by a person in custody under the judgment and sentence of a State court . . . may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which 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). Here, petitioner was convicted and sentenced in North Carolina. Therefore, this court lacks jurisdiction over this matter.

Consequently, plaintiff's and application for leave to proceed *in forma pauperis* is granted the petition is dismissed. A separate order accompanies this memorandum opinion.

Date: July 21, 2022

\_\_\_\_\_/s/\_\_\_\_\_  
CARL J. NICHOLS  
United States District Judge