

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

TAVARRES HENDERSON,

Petitioner,

v.

JOSEPH R. BIDEN, JR.,

Respondent.

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Civil Action No. 1:23-cv-00555 (UNA)

**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 currently incarcerated at Johnson State Prison in Wrightsville, Georgia, and he challenges his conviction and sentence, entered in 2018 by the Augusta Judicial Circuit, located in Richmond County, Georgia.

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). Petitioner was convicted and sentenced in Georgia; therefore, this court lacks jurisdiction over this matter. Moreover, petitioner’s immediate custodian—not the President of the United States—is the proper respondent in this habeas matter. *See Blair-Bey v. Quick*, 151 F.3d 1036, 1039 (D.C. Cir. 1998).

Consequently, the court grants petitioner's application for leave to proceed *in forma pauperis*, ECF No. 2, and dismisses the petition, and this matter, without prejudice. A separate order accompanies this memorandum opinion.

Date: April 10, 2023

Tanya S. Chutkan  
TANYA S. CHUTKAN  
United States District Judge