UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

VINCENT ELLIOT WILSON,)
)
	Petitioner,)
v.) Civil Action No. 23-2498 (ABJ)
SHERIFF JOSE QUIROZ,))
	Respondent.	,))

MEMORANDUM OPINION

This matter is before the Court on Vincent Elliot Wilson's *pro se* petition for a writ of habeas corpus under 28 U.S.C. § 2241 (ECF No. 1). For the reasons discussed below, the petition and this civil action are DISMISSED.

Petitioner is a pretrial detainee at the Arlington County Detention Facility in Arlington, Virginia. *See* Pet. ¶¶ 1-2, 13. Since his detention began in July 2021, petitioner states, he has been confined to a cell for 23 hours per day, making it difficult to "make legal calls, take care of hygiene, call family, and take care of [his] business" in the remaining hour. *Id.* ¶ 13. According to petitioner, he is confined to his cell "because they don't want [him] to be telling, snitching, and reporting." *Id.* In addition, petitioner is "on Grievance Restriction" and "deprived of grievance forms[.]" *Id.* ¶ 14. He demands "[r]elease from . . . disciplinary and administrative segregation," placement in general population, and "restoration of all rights and privileges," to include two hours of recreation time each day, and compensatory damages. *Id.* ¶ 15.

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

a petitioner's custodian, see Rumsfeld v. Padilla, 542 U.S. 426, 434-35 (2004), who ordinarily is

the warden of the facility where a petitioner is detained, see Chatman-Bey v. Thornburgh, 864 F.2d

804, 811 (D.C. Cir. 1988). Neither petitioner nor his custodian is in the District of Columbia, 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). Accordingly, the Court will dismiss the petition for want of

jurisdiction. See Padilla, 542 U.S. at 443 ("jurisdiction [for habeas petitions] lies in only one

district: the district of confinement"); Day v. Trump, 860 F.3d 686, 691 (D.C. Cir. 2017) (affirming

dismissal for want of jurisdiction where the District of Columbia was not "the district of residence

of [petitioner's] immediate custodian for purposes of § 2241 habeas relief"); Monk v. Sec'y of

Navy, 793 F.2d 364, 369 (D.C. Cir. 1986) ("hold[ing] that for purposes of the federal habeas corpus

statute, jurisdiction is proper only in the district in which the immediate, not the ultimate, custodian

is located").

A separate order of dismissal accompanies this Memorandum Opinion.

DATE: November 2, 2023

/s/

AMY BERMAN JACKSON United States District Judge

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