

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

November 21, 2007

Charles R. Fulbruge III  
Clerk

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No. 07-10113  
Summary Calendar

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NORMAN E. ROBINSON,

Petitioner-Appellant,

v.

WARDEN COLE JETER,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:06-CV-824

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Before HIGGINBOTHAM, STEWART, and ELROD, Circuit Judges.

PER CURIAM:\*

Norman E. Robinson, federal prisoner # 04307-003, was convicted and sentenced for conspiracy to manufacture methamphetamine and phenylacetone. Robinson now appeals the district court's dismissal of his § 2241 petition in which he challenged the validity of his indictment on the basis that it did not allege the quantity of drugs for which he was sentenced. The district court dismissed the petition, finding that Robinson was attempting to collaterally attack his conviction and sentence and that 28 U.S.C. § 2255 was therefore the

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

correct procedural vehicle for Robinson's claims. Because Robinson challenges the validity of his sentence in his § 2241 petition but has failed to demonstrate that his claims fall within the "savings clause" of § 2255, the district court did not err in dismissing his § 2241 petition. See *Reyes-Requena v. United States*, 243 F.3d 893, 901-04 (5th Cir. 2001); *Pack v. Yusuff*, 218 F.3d 448, 451 (5th Cir. 2000).

AFFIRMED.