

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

GREGORY S. TAYLOR

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Petitioner

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v

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Civil Action No. RWT-11-1501

UNITED STATES OF AMERICA

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Respondent

*

MEMORANDUM OPINION

On June 2, 2011, correspondence was received from Petitioner stating his desire to file a Petition for Writ of Habeas Corpus. ECF No. 1. Petitioner states that in March of 2011, he received a sentence of 63 months. Paradoxically, he states that due to “points” assigned to him, his sentence should have already expired.

To the extent Petitioner is asserting a claim regarding the legality of the sentencing proceeding in his criminal case, the correspondence is in the nature of a motion to vacate filed pursuant to 28 U.S.C. §2255. Petitioner currently has an appeal pending with the Fourth Circuit Court of Appeals and relief pursuant to a motion to vacate is not available at this time. *See* Rules Governing § 2255 Proceedings, Rule 5, advisory committee note; *see also United States v. Cook*, 997 F. 2d 1312, 1319 (10th Cir.1993).

To the extent Petitioner is asserting a claim regarding the Federal Bureau of Prisons interpretation of his sentence, the Petition for Writ of Habeas Corpus must be filed in the jurisdiction where Petitioner is confined. *See* 28 U.S.C. § 2241(a). Petitioner is confined in Allenwood, Pennsylvania. This Court does not have jurisdiction to consider Petitioner’s claim with respect to the interpretation of his sentence by prison personnel.

By separate order which follows, the Petition for Writ of Habeas Corpus shall be denied without prejudice.

Date: June 14, 2011

/s/
ROGER W. TITUS
UNITED STATES DISTRICT JUDGE