

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 09-1804

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Joseph Eric Peluso, III,

Appellant,

v.

T. C. Outlaw, Warden, FCI Forrest  
City, AR,

Appellee.

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Appeal from the United States  
District Court for the  
Eastern District of Arkansas.

[UNPUBLISHED]

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Submitted: November 27, 2009

Filed: December 3, 2009

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Before BYE, BOWMAN, and BENTON, Circuit Judges.

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PER CURIAM.

Joseph Peluso appeals the district court's<sup>1</sup> order dismissing his 28 U.S.C. § 2241 petition. Upon careful review of the record, we conclude dismissal was proper because Peluso's attacks on the validity of his sentence are properly brought pursuant to 28 U.S.C. § 2255 in the court which imposed his sentence. See Matheny v.

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<sup>1</sup>The Honorable Brian S. Miller, United States District Judge for the Eastern District of Arkansas, adopting the recommendation of The Honorable Henry L. Jones, Jr., United States Magistrate Judge for the Eastern District of Arkansas.

Morrison, 307 F.3d 709, 711 (8th Cir. 2002); § 2255(a). Accordingly, we affirm. See 8th Cir. R. 47B.

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