

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

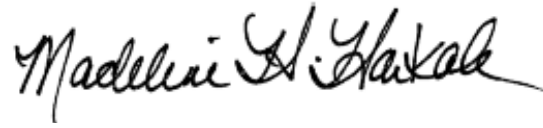
DERRELL LAMONT GILCHRIST,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No.: 1:19-cv-792-MHH-GMB
	)	
ACTING WARDEN JOSEPH, et al.,	)	
	)	
Respondent.	)	

**MEMORANDUM OPINION**

On July 21, 2020, Magistrate Judge Borden entered a report in which he recommended that the Court dismiss this § 2241 action for lack of jurisdiction. (Doc. 9). Judge Borden advised the parties of their right to file specific written objections within 14 days; the Court has not received objections.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Having reviewed the materials in the court record, the Court adopts the magistrate judge’s report and accepts his recommendation. The Court lacks jurisdiction over this § 2241 petition. Mr. Gilchrist’s pending § 2255 motion to vacate in the district in which he was sentenced is the proper vehicle for his request for relief. Accordingly, by separate order, the Court will dismiss this action for lack of jurisdiction.

**DONE** and **ORDERED** this August 31, 2020.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a long, sweeping tail on the final letter.

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**MADLINE HUGHES HAIKALA**  
**UNITED STATES DISTRICT JUDGE**