

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION

JERMAINE DUANE IRVIN  
Reg. #45966-177

**PETITIONER**

v.

**No. 2:17-cv-13-DPM**

GENE BEASLEY, Warden,  
FCI Forrest City

**RESPONDENT**

**ORDER**

Motion, № 29, denied. Beasley's response was proper under both the Magistrate Judge's Order, № 8, and the applicable rule. Rule 5 of the Rules Governing § 2255 Proceedings (2004 amendment to advisory committee notes). And nothing in Irvin's new paper changes the Court's conclusion that his claims can't be brought in a *habeas* petition. This case is closed.

So Ordered.

D. P. Marshall Jr.  
D. P. Marshall Jr.  
United States District Judge

14 August 2017