

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02818-BNB

DONALD JACKSON,

Applicant,

v.

SARA REVELL, Warden,

Respondent.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 04 2009

GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL


Applicant initiated this action by filing *pro se* an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging the validity of his conviction and sentence. Applicant was convicted in the United States District Court for the Northern District of Texas. On January 21, 2009, Magistrate Judge Boyd N. Boland ordered Applicant to show cause why the application should not be denied because he has an adequate and effective remedy available pursuant to 28 U.S.C. § 2255 in the sentencing court. Applicant was warned that the action would be dismissed without further notice if he failed to show cause within thirty days.

Applicant has failed within the time allowed to show cause why this action should not be dismissed and he has failed to respond in any way to Magistrate Judge Boland's January 21 order. Therefore, the application will be denied and the action will be dismissed because Applicant has an adequate and effective remedy in the sentencing court. Accordingly, it is

ORDERED that the habeas corpus application is denied and the action is dismissed because Applicant has an adequate and effective remedy in the sentencing court.

DATED at Denver, Colorado, this 4 day of March, 2009.

BY THE COURT:



ZITA L. WEINSHIENK, Senior Judge
United States District Court

IN THE UNITED STATES DISTRICT COURT
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CERTIFICATE OF MAILING

Civil Action No. 08-cv-02818-BNB

Donald Jackson
Reg No. 025664-077
USP - Florence
P.O. Box 7000
Florence, CO 81226-7000

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on 3/4/09

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk