**UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF COLUMBIA**

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|---|---|---|
| **HERBERT CHARLES REGISTER,** | ) | |
| **Petitioner,** | ) | |
| **v.** | ) | **Civil Action No. 07-0306 (ESH)** |
| **BUREAU OF PRISONS, *et al.*,** | ) | |
| **Respondents.** | ) | |

**MEMORANDUM**

Petitioner challenges his conviction entered by the United States District Court for the Middle District of Florida. Petitioner seeks a writ of *habeas corpus* under 28 U.S.C. § 2241, but his claim must be pursued in the sentencing court by motion under 28 U.S.C. § 2255. Under that statute,

> An application for a writ of habeas corpus in behalf of a prisoner who is authorized to apply for relief by motion pursuant to [§ 2255] shall not be entertained if it appears that the applicant has failed to apply for [§ 2255] relief, by motion, to the court which sentenced him, or that such court has denied him relief, unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his detention.

28 U.S.C. § 2255.

This Court lacks subject matter jurisdiction over petitioner's § 2255 motion. He must bring his claim in the sentencing court.

A separate order of dismissal accompanies this Memorandum.

/s/
ELLEN SEGAL HUVELLE
United States District Judge

DATE: February 26, 2007

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