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FILED
MAY 04 2010
Clerk, U.S. District and Bankruptcy Courts

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Ernest M. Greeley Jr.,	)	
	)	
Petitioner,	)	
	)	
v.	)	**Civil Action No.** 10 0694
	)	
S.T. Wainwright,	)	
	)	
Respondent.	)	

MEMORANDUM OPINION

This matter comes before the court on the plaintiff's application to proceed without prepayment of fees, and his pro se habeas petition. The Court will grant the application will dismiss the habeas petition for lack of jurisdiction.

Plaintiff is detained in the District of Columbia Jail. He states that "[t]he judge found probable cause to violate" on March 4, 2010. Petition at "4."[1] Although the petition attacks a conviction as unconstitutional, it does not indicate which court imposed sentence on the basis of the challenged conviction, or whether the petitioner has exhausted his state remedies, if his conviction was imposed by a state court. Without such information, this court cannot determine whether it has subject matter jurisdiction. As petitioner has not alleged facts sufficient to establish subject matter jurisdiction, the petition will be dismissed without prejudice for lack of subject matter jurisdiction. A separate final order accompanies this memorandum opinion.

Date: April 22, 2010

United States District Judge

[1] The page is identified as page 4 in the petition, but pages 2 and 3 are missing.

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