

FILED
AUG 10 2010
Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Douglas B. Bennett,)
)
Petitioner,)
)
v.)
)
Mark Nooth,)
)
Respondent.)

Civil Action No. **10 1344**

MEMORANDUM OPINION

Petitioner, proceeding *pro se*, has submitted an application for a writ of *habeas corpus* along with an application to proceed *in forma pauperis*. The Court will grant the application to proceed *in forma pauperis* and will dismiss the case for lack of jurisdiction.

Petitioner is an Oregon state prisoner in Ontario, Oregon, challenging a conviction entered by a county court in Portland, Oregon. Pet. at 2. Federal court review of state convictions is available under 28 U.S.C. § 2254 only after the exhaustion of available state remedies. See 28 U.S.C. §2254(b)(1). Thereafter, "an application for a writ of habeas corpus [] made by a person in custody under the judgment and sentence of a State court . . . may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced [petitioner] and each of such district courts shall have concurrent jurisdiction to entertain the application." 28 U.S.C. § 2241(d). Petitioner has no recourse here. A separate Order of dismissal accompanies this Memorandum Opinion.


United States District Judge

Date: August 4, 2010

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