

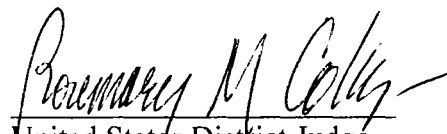
1970], . . . a District of Columbia prisoner seeking to collaterally attack his sentence must do so by motion in the sentencing court - the Superior Court - pursuant to D.C. Code § 23-110.”).

Section 23-110 states:

[an] application for a writ of habeas corpus in behalf of a prisoner who is authorized to apply for relief by motion pursuant to this section shall not be entertained by . . . any Federal . . . court if it appears . . . that the Superior 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.

D.C. Code § 23-110(g). This local statute “divests federal courts of jurisdiction to hear habeas petitions by prisoners who could have raised viable claims pursuant to § 23-110(a).” *Williams v. Martinez*, 586 F.3d 995, 998 (D.C. Cir. 2009). Petitioner’s claims of actual innocence, ineffective assistance of counsel, prosecutorial misconduct, and judicial misconduct are cognizable under D.C. Code § 23-110. *See, e.g., Adams v. Middlebrooks*, 810 F. Supp. 2d 119, 123-25 (D.D.C. 2011). Hence, this case will be dismissed without prejudice. A separate Order accompanies this Memorandum Opinion.

Date: December 18, 2015


United States District Judge