

FILED
JAN 30 2019

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

THOMAS LEE BAILEY,)	
)	
Petitioner,)	
)	
v.)	Civil Action No.1:19-cv-00107 (UNA)
)	
KELLY ANN GENTRY,)	
)	
Respondent.)	

MEMORANDUM OPINION

This matter is before the court on its initial review of petitioner’s *pro se* “complaint” (“Compl.”) and application for leave to proceed *in forma pauperis*. Petitioner is a Maryland state prisoner designated to the North Branch Correctional Institution, located in Cumberland, MD. Compl. at caption. He was convicted in state court, more specifically, in Harford County, Maryland. *See State of Maryland v. Bailey, Thomas Lee*, No. 3R00001585 (Md. filed Nov. 24, 1994); *see also State of Maryland v. Thomas Bailey*, No. 12K94001287 (Md. filed Dec. 28, 1994);

Petitioner challenges his conviction and seeks immediate release. *See* Compl. at 1–2, 5–11. Federal court review of state convictions is available under 28 U.S.C. § 2254 only after the exhaustion of available state remedies. 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). Therefore, this court lacks jurisdiction over petitioner’s § 2254 habeas “complaint.”

For the foregoing reasons, this action will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: January 26, 2019


United States District Judge