

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

RUSSELL K. HILL,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 23-2270 (UNA)
)	
UNITED STATES, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM OPINION

Petitioner Russell K. Hill is a Mississippi prisoner who currently is incarcerated at the Marshall County Correctional Facility in Holly Springs, Mississippi. Generally, petitioner challenges the Mississippi courts’ jurisdiction and demands his immediate release from custody.

A habeas action is subject to jurisdictional and statutory limitations. *See Braden v. 30th Judicial Cir. Ct. of Ky.*, 410 U.S. 484, 495 (1973). The proper respondent in a habeas corpus action is a petitioner’s custodian, who ordinarily is the warden of the facility where a petitioner is detained. *Rumsfeld v. Padilla*, 542 U.S. 426, 434–35 (2004). And this “district court may not entertain a habeas petition involving present physical custody unless the respondent custodian is within its territorial jurisdiction.” *Stokes v. U.S. Parole Comm’n*, 374 F.3d 1235, 1239 (D.C. Cir. 2004). The petition neither names petitioner’s custodian as a respondent, nor demonstrates that the proper respondent is in the District of Columbia.

The Court will grant petitioner’s application to proceed *in forma pauperis* (ECF No. 2), deny his motion for a three-judge panel (ECF No. 3), and dismiss his petition (ECF No. 1) without prejudice for want of jurisdiction. A separate order accompanies this Memorandum Opinion.

DATE: August 29, 2023



CARL J. NICHOLS
United States District Judge