

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

KWELI UHURU,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 1:23-cv-02372 (UNA)
)	
UNITED STATES OF AMERICA, et al.,)	
)	
)	
Respondents.)	

MEMORANDUM OPINION

This matter is before the court on its review of Petitioner’s petition for writ of habeas corpus, ECF No. 1, seeking relief under 28 U.S.C. § 2255, and his application for leave to proceed *in forma pauperis* (“IFP”), ECF No. 2. Petitioner is a federal inmate currently incarcerated at the U.S. Penitentiary located in Hazelton, West Virginia. He was convicted and sentenced in the United States District Court for the Western District of Virginia.

At the outset, the court notes that none of Petitioner’s submissions are captioned for this court, in contravention of Federal Rule 10(a) and D.C. Local Civil Rule 5.1(g). And, in any event, to the extent that a remedy is available to Petitioner, his claims must be addressed with the sentencing court. *See Taylor v. U.S. Bd. of Parole*, 194 F.2d 882, 883 (D.C. Cir. 1952); *Ojo v. Immigration & Naturalization Serv.*, 106 F.3d 680, 683 (5th Cir. 1997). Section 2255 provides that:


[a] prisoner in custody under sentence of a court established by Act of Congress claiming the right to be released upon the ground that the sentence was imposed in violation of the Constitution or laws of the United States, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral

attack, may move the court which imposed the sentence to vacate, set aside or correct the sentence.

28 U.S.C. § 2255(a). Consequently, Petitioner must file this action in the Western District of Virginia.

Because Petitioner has no recourse in this court, the petition will be dismissed without prejudice. A separate order accompanies this memorandum opinion.

Date: October 23, 2023



JIA M. COBB
United States District Judge