

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

LUIS ARREOLA-PALMA,

Petitioner,

vs.

No. CV 19-1225 KG/KRS

UNITED STATES OF AMERICA,

Respondent.

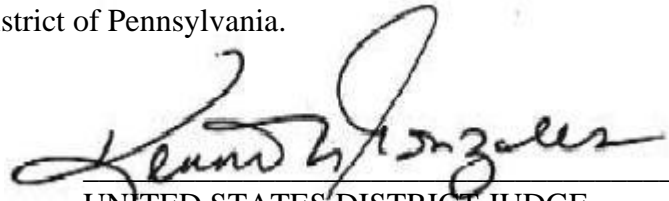
ORDER TO TRANSFER

THIS MATTER is before the Court *sua sponte* on the Motion for Clarification of Judgment and Sentencing Intent filed by Petitioner, Luis Arreola-Palma, which the Court construes as a petition for writ of habeas corpus under 28 U.S.C. § 2241 (Doc. 1) (“Petition”). In his Petition, Arreola-Palma seeks habeas corpus relief in the form of an order instructing the Bureau of Prisons regarding carrying out of his concurrent federal and state court sentences. (Doc. 1 at 3-5). The Court orders that the case be transferred to the United States District Court for the Middle District of Pennsylvania, the District of Arreola-Palma’s incarceration.

Arreola-Palma was convicted and sentenced in the District of New Mexico. *See* No. CR 16-03308 JB. However, Arreola-Palma’s Petition does not challenge his conviction or sentence in CR 16-03308 JB but, instead, challenges the manner in which his sentence is being carried out by the Bureau of Prisons. (Doc. 1 at 3-5). A motion pursuant to § 2241 challenging such matters as the administration of parole, computation of a prisoner's sentence by prison officials, prison disciplinary actions, prison transfers, type of detention and prison conditions must be brought in the federal district of the prisoner’s incarceration, not in the district of conviction. *Rumsfeld v. Padilla*, 452 U.S. 426, 442-43 (2004).

Arreola-Palma may seek habeas corpus review of confinement only in the federal district where Arreola-Palma is incarcerated. Arreola-Palma is presently incarcerated at USP Canaan in the Middle District of Pennsylvania. (Doc. 1). This Court lacks jurisdiction over Arreola-Palma's Petition and will transfer this proceeding to the United States District Court for the Middle District of Pennsylvania. *Rumsfeld v. Padilla*, 452 U.S.at 442-43.

IT IS ORDERED that the CLERK is directed to TRANSFER this case to the United States District Court for the Middle District of Pennsylvania.



UNITED STATES DISTRICT JUDGE