

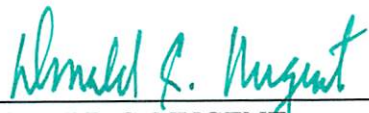
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Deonte T. Griffin,)	CASE NO. 5:18 CV 741
)	
Petitioner,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>
Christopher LaRose,)	
)	
)	
Respondent.)	

Pro se Petitioner Deonte T. Griffin, a federal pre-trial detainee, has filed this action seeking a writ of *habeas corpus* pursuant to 28 U.S.C. § 2241. (Doc. No. 1.) In his Petition, he seeks to challenge the Court’s jurisdiction in the federal criminal case against him. Petitioner, however, may raise this challenge in the pending criminal case. Therefore, he is not entitled to *habeas corpus* relief. *See Horning v. Seifart*, No. 96–5070,1997 WL 58620 (6th Cir. Feb. 11,1997) (“*habeas* petition was properly dismissed as that remedy cannot be invoked to raise defenses to a pending federal criminal prosecution”); *Holland v. Gilliam*, No. 91–5242, 1991 WL 150821 (6th Cir. Aug. 6, 1991) (“[*h*]abeas *corpus* relief is not available where, as here, petitioner may pursue his claim in the underlying criminal proceedings”).

Accordingly, the Petition is denied and this action is summarily dismissed in accordance with 28 U.S.C. § 2243. The Court further certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.



DONALD C. NUGENT
UNITED STATES DISTRICT JUDGE

Dated: April 11, 2018