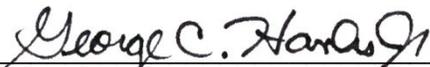


Section 2254 petitions¹ and the AEDPA's statute of limitations.² That will not work: as a scholarly opinion by Judge Lake points out, "a state prisoner may not use [Section] 2241 to circumvent procedural hurdles to review under [Section] 2254." *Major-Davis v. Stephens*, No. H-15-2373, 2015 WL 5093237, at *1 & n. 2 (S.D. Tex. Aug. 28, 2015) (citing cases). Because Brown challenges a state court judgment and seeks his immediate release from confinement, the petition is governed by Section 2254, not Section 2241, regardless of how Brown styles it. *Id.*

Brown's motion requesting the Court to rescind its determination that Section 2254 applies (Dkt. 11) is **DENIED**.

The Clerk will provide a copy of this order to the parties.

SIGNED at Galveston, Texas, this 9th day of May, 2017.



George C. Hanks Jr.
United States District Judge

¹ See 28 U.S.C. § 2244(b).

² See 28 U.S.C. § 2244(d).