
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

MARK-RICHARD; PATRICK,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

**MEMORANDUM DECISION
AND ORDER**


Case No. 2:07CV668 DAK

This matter is before the court on Mark-Richard; Patrick's ("Petitioner") Motion for Writ of Habeas Corpus, which the court construes as a motion pursuant to 28 U.S.C. § 2241 because Petitioner seeks credit toward his sentence for time spend on pre-trial supervised release.

"Requests for sentence credit, or for recalculation of time yet to serve . . . must be presented to the Attorney General (or [his] delegate, the Bureau of Prisons), and adverse decisions may be reviewed by an action under 28 U.S.C. § 2241" *United States v. Storm*, 281 Fed. Appx. 830, 832, 2008 WL 2405740, 1 (10th Cir. 2008)(quoting *Romandine v. United States*, 206 F.3d 731, 736 (7th Cir.2000)). A petitioner brought under 28 U.S.C. § 2241 "must be filed in the district where the prisoner is confined." *Bradshaw v. Story*, 86 F.3d 164, 166 (10th Cir. 1996). Thus, this court has no jurisdiction to rule on the merits of this Petition, and it is DISMISSED without prejudice.

DATED this 14th day of October, 2008.

BY THE COURT:



DALE A. KIMBALL

United States District Judge