

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
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ANDRE SYLVESTER WATTS,)
Petitioner,) Civil Action No. 7:06CV00666
)
v.) MEMORANDUM OPINION
)
TERRY O'BRIEN, WARDEN,)
Respondent.) By: Hon. Glen E. Conrad
United States District Judge

Petitioner Andre Sylvester Watts, a federal inmate proceeding pro se, filed this action as a "motion for emergency hearing for writ of habeas corpus" under 28 U.S.C. § 2241. Watts appears to argue that he is incarcerated in violation of the Uniform Commercial Code (UCC).*

A writ of habeas corpus may be granted only if a petitioner "is in custody in violation of the Constitution or laws or treaties of the United States." 28 U.S.C. §§ 2241(c)(3) and 2254(a). Because the UCC is neither relevant to Watts' present confinement nor federal law, see Gilbert v. Monaco Coach Corp., 352 F. Supp. 2d 1323, 1329 (N.D. Ga. 2004); Motorola, Inc. v. Perry, 917 F. Supp. 43, 48 n.5 (D. D.C. 1996), he is not entitled to habeas relief. Accordingly, his motion must be dismissed.

The Clerk is directed to send certified copies of this memorandum opinion and the accompanying order to the petitioner and counsel of record for the respondent.

ENTER: This 14th day of November, 2006.

[Signature: Glen E. Conrad]

United States District Judge

*Watts submitted a copy of a UCC Financing Statement with his motion. Watts alleges that he is a "secured party creditor," and that his "custodianship" is based on an "adhesion contract" or a contract that was not fully disclosed to him.