

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

<p>CLAUDE GENE SLOAN,</p> <p style="padding-left: 100px;">Petitioner,</p> <p>v.</p> <p>UNITED STATES OF AMERICA,</p> <p style="padding-left: 100px;">Respondent.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 7:12CV00066</p> <p style="text-align: center;">OPINION</p> <p>By: James P. Jones United States District Judge</p>
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Claude Gene Sloan, Pro Se Petitioner.

The petitioner, a federal inmate sentenced in this court, filed this pro se action as a petition for a writ of habeas corpus under 28 U.S.C. § 2241. Sloan complains about alleged errors in his Presentence Investigation Report (“PSR”) in the description of his prior state court convictions and sentences and the calculation of his criminal history points. After review of the record, I find that Sloan’s petition must be summarily dismissed for lack of jurisdiction.

Under § 2241, a district court may grant a writ of habeas corpus within its jurisdiction when the petitioner demonstrates that he is in custody in violation of the Constitution or laws of the United States. § 2241(a) and (c)(3). Sloan does not state facts on which I could find that he is in custody in violation of any federal statute or constitutional provision. Moreover, Sloan’s submission indicates that he

is incarcerated in a federal prison facility in White Deer, Pennsylvania. Therefore, this court does not have jurisdiction over Sloan's custodian, as required for adjudication of his claims under § 2241. *See In re Jones*, 226 F.3d 328, 331(4th Cir. 2000).

For the stated reasons, I summarily dismiss Sloan's § 2241 petition for lack of jurisdiction and merit.

A separate Final Order will be entered herewith

ENTER: March 19, 2012

/s/ James P. Jones
United States District Judge