

MAR - 8 2004

For The Northern Mariana Islands
By _____
(Deputy Clerk) 

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

In re	)	Civil Action No. 04 - 0007
	)	
DAVID WOODRUFF,	)	ORDER DISMISSING <i>SUA</i>
	)	<i>SPONTE</i> PURPORTED
Petitioner ¹	)	PETITION FOR <i>HABEAS</i>
_____	)	<i>CORPUS</i>

THE COURT has received from David Woodruff a filing purporting to be a petition for *habeas corpus*, accompanied by various memoranda. For the following reasons, the petition is *sua sponte* dismissed with prejudice.

Although it is not clear from his filings, petitioner is a seasoned *pro se* prisoner litigant,² unbound by traditional notions of jurisdiction.

1

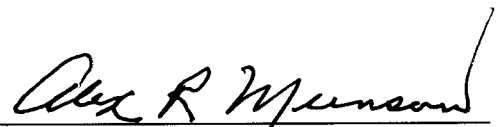
The court will use the caption form adopted by petitioner.

2

See e.g. Woodruff v. Wyoming, 522 U.S. 1060, 118 S.Ct. 720 (Mem.) (1998); *Woodruff v. Doe, et al.*, 2002 WL 32141577 (D.Wyo. 2002); *Woodruff v. Wyoming*, 49 Fed.Appx. 199 (10th Cir. 2002); *In re Woodruff*, 537 U.S. 806, 123

1 The court *sua sponte* dismisses petitioner's *habeas corpus* petition. This
2 court lacks jurisdiction over petitioner's custodian, the warden of the
3 Wyoming state prison where petitioner is incarcerated. See e.g. Braden v. 39th
4 Judicial Circuit Court, 410 U.S. 484 (1973). Also, this is at least petitioner's
5 third petition for *habeas corpus* relief and he can obtain the relief he seeks only
6 by making a motion in the appropriate Circuit Court of Appeals; i.e. the U.S.
7 Court of Appeals for the Tenth Circuit. See 28 U.S.C. 2244(b)(3)(A). Finally,
8 because it does not appear to be in the interests of justice to transfer the case,
9 28 U.S.C. § 1631, the petition is dismissed with prejudice and this file is
10 ordered closed. The Clerk of Court is directed to mail a copy of this order to
11 the Clerk of Court of the United States Court of Appeals for the Tenth
12 Circuit.
13

14 DATED this 8th day of March, 2004.
15
16

17
18
19
20
21 

22 ALEX R. MUNSON
23 Judge
24

25 _____
26 S.Ct. 54 (Mem.) (2002); Woodruff v. Paulson, et al., 51 Fed.Appx. 822 (10th Cir. 2002); In re David Woodruff, 2003 WL 842689 (D.C.Cir. 2003); and, Woodruff v. Abott, 2003 WL 21518762 (D.R.I. 2003).