

April 11, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-40499  
Conference Calendar

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THOMAS SHANNON DARR,

Petitioner-Appellant,

versus

R.D. MILES, Warden,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:04-CV-572  
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Before JONES, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:\*

Thomas Shannon Darr, federal prisoner #18389-077, appeals the dismissal of his 28 U.S.C. § 2241 habeas petition challenging one of the sentences imposed in connection with his 1989 convictions for various drug-related offenses, use of a communication facility to commit a felony, and interstate travel in aid of racketeering.

Because Darr's claim relates to an error that allegedly occurred at sentencing, his claim may not be asserted in a § 2241

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

petition. See Tolliver v. Dobre, 211 F.3d 876, 877 (5th Cir. 2000); Reyes-Requena v. United States, 243 F.3d 893, 900 (5th Cir. 2001). Moreover, Darr has not shown that he is entitled to proceed under § 2241 based on the "savings clause" of 28 U.S.C. § 2255. Reyes-Requena, 243 F.3d at 901, 904. The district court's judgment is AFFIRMED.