

July 11, 2007

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

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No. 06-41238  
Summary Calendar

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EDWARD KING, JR., also known as Charles Jackson,  
also known as Junior,

Plaintiff-Appellant,

versus

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS;  
FEDERAL BUREAU OF PRISONS; HARLEY G. LAPPIN, Director;  
R. CHILDRESS, Warden,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:05-CV-626  
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Before JONES, Chief Judge, DAVIS and PRADO, Circuit Judges.

PER CURIAM:\*

Edward King, Jr., federal prisoner # 60210-079, was convicted of conspiring to distribute cocaine and was sentenced to serve 240 months in prison. He filed an unsuccessful 28 U.S.C. § 2241 habeas corpus petition, and he now appeals the denial of that petition. He argues that he is actually innocent of the drug quantity used to determine his sentence and that counsel rendered ineffective assistance for not challenging the district court's drug quantity

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

findings. He contends that he should be permitted to proceed under § 2241 because these claims have not been properly addressed and because a miscarriage of justice will occur if these claims are not considered. King has not shown that his claims arise under § 2241, nor has he shown that he should be permitted to proceed under the savings clause of 28 U.S.C. § 2255. See Tolliver v. Dobre, 211 F.3d 876, 877-78 (5th Cir. 2000); Cox v. Warden, Fed. Detention Ctr., 911 F.2d 1111, 1113 (5th Cir. 1990). The judgment of the district court is AFFIRMED.