

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-10429  
Conference Calendar

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BRENDA ROBERTSON FINE,

Petitioner-Appellant,

versus

JOSEPH B. BOGAN, Warden; CARSWELL FEDERAL MEDICAL CENTER;  
FEDERAL BUREAU OF PRISONS; UNITED STATES DEPARTMENT OF  
JUSTICE,

Respondents-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:00-CV-127-Y

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October 17, 2000

Before SMITH, and BARKSDALE, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Brenda Robertson Fine, federal prisoner # 27050-077, appeals from the dismissal with prejudice of her 28 U.S.C. § 2241 petition. The district court held, because Fine was challenging errors that were alleged to have occurred during or before sentencing, her claims must be raised in a motion filed pursuant to 28 U.S.C. § 2255 and that the only court with jurisdiction to consider her § 2255 motion was the district court in which she was sentenced. Fine argues on appeal that she is entitled to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

application of the "savings clause" of § 2255 because she is barred by limitations from filing a § 2255 motion.

Fine has failed to show that the remedies provided for under § 2255 are inadequate or ineffective to test the legality of her detention. See Cox v. Warden, Fed. Detention Ctr., 911 F.2d 1111, 1113 (5th Cir. 1990). The district court's judgment is AFFIRMED.

Fine's motion for appointment of counsel is DENIED.

AFFIRMED; MOTION DENIED.