

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-10193
Conference Calendar

WILLARD BRADDY,

Petitioner-Appellant,

versus

SAM L. PRATT,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:01-CV-1234-P

October 30, 2002

Before DeMOSS, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:*

Willard Braddy, federal prisoner # 70460-198, appeals the district court's dismissal of his 28 U.S.C. § 2241 petition. Because Braddy seeks to challenge his conviction and 188-month sentence for possession with the intent to distribute methamphetamine, his petition should have been filed as a 28 U.S.C. § 2255 motion. See Pack v. Yusuff, 218 F.3d 448, 452 (5th Cir. 2000); Tolliver v. Dobre, 211 F.3d 876, 877-78 (5th Cir.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

2000). Although Braddy can proceed under 28 U.S.C. § 2241 if he demonstrates that 28 U.S.C. § 2255 relief is inadequate or ineffective, he fails to address this issue on appeal and has therefore abandoned the argument. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993). Accordingly, the district court's judgment is AFFIRMED.