

December 9, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-40771
Conference Calendar

WILLIAM J. R. EMBREY,

Petitioner-Appellant,

versus

MELVIN MORRISON, Warden; UNITED STATES
CONGRESS; UNITED STATES ATTORNEY GENERAL,

Respondents-Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:02-CV-844

Before DAVIS, EMILIO M. GARZA, and DENNIS, Circuit Judges.

PER CURIAM:*

William J.R. Embrey, federal prisoner #87263-132, appeals the district court's dismissal of his 28 U.S.C. § 2241 habeas corpus petition, which challenged his conviction for felony possession of a firearm in violation of 18 U.S.C. § 922(g). Embrey argues that his conviction was invalid under United States v. Emerson, 270 F.3d 203 (5th Cir. 2001). He also cites various

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Supreme Court cases decided before he was convicted of the noted offense.

Although Embrey could proceed under 28 U.S.C. § 2241 if he demonstrated that 28 U.S.C. § 2255 relief was "inadequate or ineffective" under the latter statute's "savings clause," he has failed to make such a showing. See Reyes-Requena v. United States, 243 F.3d 893, 904 (5th Cir. 2001). Accordingly, the judgment of the district court is AFFIRMED.