

October 22, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-10474  
Conference Calendar

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DON BENNY ANDERSON,

Petitioner-Appellant,

versus

L. E. FLEMING, Warden FMC-Fort Worth,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:03-CV-00219  
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Before KING, Chief Judge, and JOLLY and STEWART, Circuit Judges.

PER CURIAM:\*

Don Benny Anderson (federal prisoner # 06260-026) filed a petition pursuant to 28 U.S.C. § 2241 wherein he sought to challenge his guilty-plea conviction for conspiracy, interstate transportation to commit arson, and damaging a building with an explosive device. Concluding that Anderson was required to proceed under 28 U.S.C. § 2255 rather than 28 U.S.C. § 2241, the district court summarily dismissed the petition.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Anderson has failed to satisfy the requirements for filing a 28 U.S.C. § 2241 petition. See Reyes-Requena v. United States, 243 F.3d 893, 900-04 (5th Cir. 2001). Accordingly, the judgment of the district court is AFFIRMED.