

# United States Court of Appeals for the Fifth Circuit

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No. 24-10249  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 30, 2024

Lyle W. Cayce  
Clerk

FAITH BLAKE,

*Petitioner—Appellant,*

*versus*

MICHAEL SMITH, *Warden, Federal Medical Center-Carswell,*

*Respondent—Appellee.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:23-CV-238

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Before JONES, DENNIS, and SOUTHWICK, *Circuit Judges.*

PER CURIAM:\*

Faith Blake, federal prisoner # 73053-279, appeals the dismissal of a 28 U.S.C. § 2241 petition challenging her convictions and sentences for two counts of conspiracy to distribute and dispense controlled substances and one count of failure to appear. We review the district court's factual findings for

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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clear error and its legal conclusions de novo. *Jeffers v. Chandler*, 253 F.3d 827, 830 (5th Cir. 2001).

To proceed with her challenge under § 2241, Blake must satisfy the “‘savings clause’” of 28 U.S.C. § 2255(e) by showing that “unusual circumstances make it impossible or impracticable to seek relief in the sentencing court.” *Jones v. Hendrix*, 599 U.S. 465, 478 (2023). She has abandoned any argument that she has satisfied the savings clause by failing to brief it adequately before this court. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). To the extent Blake contends that she is actually innocent, she has not established that actual innocence provides a gateway for review of claims raised in a § 2241 petition. *See McQuiggin v. Perkins*, 569 U.S. 383, 386 (2013); *Schlup v. Delo*, 513 U.S. 298, 315 (1995).

The district court’s judgment is AFFIRMED.