

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-5380
Conference Calendar

RUSSELL SULLIVAN,

Petitioner-Appellant,

versus

U.S. DEPARTMENT OF JUSTICE,
UNITED STATES DEPARTMENT OF
JUSTICE, ET. AL.

Respondents-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 5:93-CV-47
- - - - -
(March 23, 1994)

Before KING, DAVIS, and DeMOSS, Circuit Judges.

PER CURIAM:*

Russell Sullivan challenges the denial of his motion for relief pursuant to U.S.C. § 2241 and requests appointment of counsel.

Section 2255 is the appropriate method of collaterally attacking a federal conviction. See Solsona v. Warden, FCI, 821 F.2d 1129, 1131 (5th Cir. 1987). Section 2255 provides in pertinent part:

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

An application for a writ of habeas corpus in behalf of a prisoner who is authorized to apply for relief by motion pursuant to this section, shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced him, or that such court has denied him relief, unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his detention.

28 U.S.C. § 2255 (West 1993). A § 2255 motion must be filed in the district where the prisoner was sentenced. Solsona, 821 F.2d at 1132.

Sullivan was sentenced in the Eastern District of Oklahoma but filed his pleading in the Eastern District of Texas. Sullivan has not shown that filing in the proper court would be "inadequate or ineffective to test the legality of his detention." See § 2255. Thus, the district court properly denied Sullivan's motion. The district court's decision is AFFIRMED. Sullivan's request for appointment of counsel is DENIED.