

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fif h Circuit

FILED

March 3, 2017

Lyle W. Cayce
Clerk

No. 16-50129
Summary Calendar

TERRENCE M. BROWN, and on behalf of All Federal Inmates Similarly
Situated,

Petitioner - Appellant

v.

CHERON NASH, Warden, Federal Correctional Institute Bastrop;
JEFFERSON B. SESSIONS, III, U.S. ATTORNEY GENERAL,

Respondents - Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:15-CV-689

Before BARKSDALE, HAYNES, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Proceeding *pro se* on appeal, Terrence M. Brown, federal prisoner # 08524-031, filed a 28 U.S.C. § 2241 habeas petition on behalf of himself and similarly-situated federal prisoners challenging the method adopted by the Bureau of Prisons (BOP) for calculating good-time credit under 18 U.S.C. § 3624(b). Brown does not claim he is eligible for immediate release.

* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

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Where the prisoner does not make that claim, we lack subject-matter jurisdiction over the appeal of § 2241 petitions challenging the BOP's calculation of good-time credit under § 3624(b). *Sample v. Morrison*, 406 F.3d 310, 311–12 (5th Cir. 2005). In *Sample*, our court ruled the petition was not ripe because the prisoner had not established he would sustain immediate injury that could be redressed by the relief requested. *Id.* at 312.

Brown requests the same relief as the petitioner in *Sample*. Whether Brown's projected release date is computed by the BOP's interpretation or his own, he is not yet entitled to release. Thus, like the petitioner in *Sample*, Brown's petition is not ripe for review and the instant appeal is dismissed for lack of subject-matter jurisdiction. *See id.*

DISMISSED.