

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

TROY VANDAL GREGORY KING,

Petitioner,

v.

Case No. 3:18-cv-1431-J-32MCR

UNITED STATES IMMIGRATION
COURT,

Respondents.

ORDER

Petitioner, Troy Vandal Gregory King, a native and citizen of the Bahamas, initiated this action on December 3, 2018, by filing a pro se “Petition for Review and Request for Stay of Removal” (Doc. 1; Petition), which this Court construes as being filed under 28 U.S.C. § 2241.¹

Petitioner alleges that an immigration judge entered an order of removal on July 30, 2018,² and requests that the Court review the immigration judge’s decision “de novo.” Doc. 1 at 4. In support of this request, Petitioner claims that he was unable to present sufficient evidence at the removal hearing because he was under the influence of medication. Id. at 2-3.

The Immigration and Nationality Act provides that the filing of a petition for

¹ The Petition does not contain a prison stamp and the date affixed to the certificate of service is incomplete. See Doc. 1.

² Petitioner attaches the transcript of the removal proceedings, indicating that the immigration judge ordered removal on July 30, 2018. See Doc. 1-2.

review in the court of appeals, is “the sole and exclusive means for judicial review of an order of removal.” 8 U.S.C. § 1252(a)(5). Further, “no court shall have jurisdiction under § 2241 to review questions of law or fact ‘arising from any action taken or proceeding brought to remove an alien from the United States.’ ” Linares v. Dep’t of Homeland Sec., 529 F. App’x 983, 984 (11th Cir. 2013) (quoting 8 U.S.C. § 1252(b)(9)).

Here, Petitioner is challenging the substance of his removal proceedings and seeks direct review of his underlying order of removal. Doc. 1. The sole means for review of these claims is to file a petition for review with the court of appeals. Thus, to the extent Petitioner intended to file this Petition with this Court,³ this Court lacks jurisdiction to consider this action.

ORDERED AND ADJUDGED:

1. This case is **DISMISSED for lack of jurisdiction**.
2. The **Clerk** shall enter judgment dismissing this case, terminate any pending motions, and close the file.
3. Because it appears that Petitioner may have been attempting to file his appeal in the Eleventh Circuit Court of Appeals, the Clerk should forward the Petition to the Clerk of the Eleventh Circuit for whatever action deemed appropriate.

³ Petitioner styled this Petition for the “United States Department of Justice, Executive Office for Immigration Review, Federal Court of Appeals.” See Doc. 1.

DONE AND ORDERED at Jacksonville, Florida, this 6th day of December,
2018.



TIMOTHY J. CORRIGAN
United States District Judge

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C: Troy Vandal Gregory King, A029-333-487