

February 23, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-30817
Conference Calendar

PETE DILL, also known as Darryl Tucker,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA; ROBERT TAPIA,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:05-CV-328

Before GARZA, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

Pete Dill, federal prisoner # 50934-066, appeals from the dismissal of his 28 U.S.C. § 2241 petition challenging his conviction and sentence for bank robbery for lack of jurisdiction. Dill argues that the 28 U.S.C. § 2255 remedy is inadequate to raise his jurisdictional challenge.

Dill's jurisdictional argument, however, challenges his conviction and is therefore the type of claim reserved for § 2255 proceedings. See Tolliver v. Dobre, 211 F.3d 876, 877 (5th Cir.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

2000). Dill has not shown that the remedy provided under § 2255 is inadequate or ineffective to test the legality of his detention. See Reyes-Requena v. United States, 243 F.3d 893, 901 (5th Cir. 2001). He therefore cannot proceed under § 2241, and the district court, which was not Dill's sentencing court, did not err in dismissing his petition for lack of jurisdiction. See Pack v. Yusuff, 218 F.3d 448, 451 (5th Cir. 2000).

AFFIRMED.