

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 00-5006

September Term, 1999

99cv02982

Filed On: July 14, 2000 [529884]

Gary J. Cates,
Appellant

v.

Kathleen Hawk, Ms., Dir., Federal Bureau of Prisons
and Janet Reno, Ms., Attorney General for the United
States,
Appellees

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

BEFORE: Edwards, Chief Judge; Ginsburg and Randolph, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the appellant's brief. The court has determined that the issues presented occasion no need for an opinion. See Fed. R. App. P. 36; D.C. Cir. Rule 36(b). It is

ORDERED and ADJUDGED that the district court's order filed November 23, 1999, be affirmed substantially for the reasons stated therein. Appellant's application for a writ of habeas corpus filed under 28 U.S.C. § 2241 constitutes an attack on the validity of his conviction and sentence. A challenge to a conviction or sentence must be brought pursuant to 28 U.S.C. § 2255 in the court that imposed the sentence unless it is shown that the remedy is inadequate or ineffective. See 28 U.S.C. § 2255. Appellant has not made the requisite showing.

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam