

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 03-5165

September Term, 2003

03cv00373

Filed On: December 29, 2003

[793660]

Andre Sylvester Watts,
Appellant

v.

John D. Ashcroft, U.S. Attorney General,
Appellee

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

BEFORE:Ginsburg, Chief Judge, and Henderson 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 brief filed by appellant. It is

ORDERED AND ADJUDGED that the district court's final judgment filed February 26, 2003, and the orders filed March 27, 2003, April 28, 2003, and May 21, 2003 be affirmed. Appellant may not challenge his District of Columbia conviction in federal court unless his remedy under D.C. Code Ann. § 23-110(g) is inadequate or ineffective to test the legality of his detention. See, e.g., Blair-Bey v. Quick, 151 F.3d 1036, 1042-43 (D.C. Cir. 1998). The section 23-110 remedy is not considered inadequate or ineffective simply because the requested relief has been denied. See Garris v. Lindsay, 794 F.2d 722, 725 (D.C. Cir.), cert. denied, 479 U.S. 993 (1986).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution 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