

“restoration of civil rights”; Hobbs alleges that he did not receive this notice until November 15, 2019. Hobbs claims that this notice entitles him to immediate release.

The district court dismissed Hobbs’s petition, reasoning that this claim did not satisfy the requirements for obtaining relief under § 2241.

“The appellate court renders de novo review of a district court judgment dismissing a habeas corpus petition filed under 28 U.S.C. § 2241.” *Petty v. Stine*, 424 F.3d 509, 510 (6th Cir. 2005) (quoting *Charles v. Chandler*, 180 F.3d 753, 755 (6th Cir.1999) (per curiam)). In general, an attack on the validity of a conviction or sentence must be brought under § 2255 as opposed to § 2241, under which a petitioner may ordinarily challenge only the execution of his sentence. *United States v. Peterman*, 249 F.3d 458, 461 (6th Cir. 2001). But a federal prisoner may use § 2241 to challenge his conviction or sentence “if § 2255 is ‘inadequate or ineffective to test the legality of his detention.’” *Id.* (quoting 28 U.S.C. § 2255(e)).

Hobbs does not meet this requirement. He previously raised his claim before this court, which found that the 1995 “restoration of civil rights” notice upon which he relies was available to him when he filed his first § 2255 motion in 2010. *See In re Hobbs*, No. 20-5343, slip op. at 3 (6th Cir. Sept. 16, 2020) (order). And regardless of when Hobbs discovered the notice, he cannot show, for purposes of pursuing a petition under § 2241, that § 2255 is inadequate or ineffective to test the legality of his detention. *See Peterman*, 249 F.3d at 461. Section § 2255 is not inadequate simply because Hobbs has been denied relief under § 2255 and denied permission to file a second or successive § 2255 motion. *See id.* And because Hobbs has “not shown an intervening change in the law that establishes [his] actual innocence,” his claim does “not fall within any arguable construction of [the savings clause].” *Id.* at 462.

Because Hobbs did not show that § 2255 is inadequate or ineffective to test his detention, the district court lacked jurisdiction to entertain his § 2241 petition. *See Taylor v. Owens*, 990 F.3d 493, 499 (6th Cir. 2021). Accordingly, we **AFFIRM** the district court's dismissal and **DENY** the motion for injunctive relief.

ENTERED BY ORDER OF THE COURT

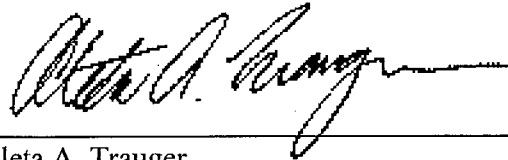
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Deborah S. Hunt, Clerk

He simply reasserts his entitlement to relief. Nothing about the petitioner's motion persuades the court that its previous ruling on his claims was in error or otherwise unjust. The petitioner's motion is, therefore, **DENIED**.

The court's previous order (Doc. No. 7) was the final order denying all relief in this case. The Clerk **SHALL** enter judgment. Fed. R. Civ. P. 58(b).

It is so **ORDERED**.

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Aleta A. Trauger
United States District Judge