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SUPREME COURT, U.S.

No. 25-6985

IN THE
SUPREME COURT OF THE UNITED STATES

Mark Woods — PETITIONER
(Your Name)

vs.

WARDEN USP CANAAN, — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES COURTS OF APPEALS FOR THE
THIRD CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

a.k.a. Mark Woods
(Your Name)

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(City, State, Zip Code)

(Phone Number)

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QUESTION(S) PRESENTED

Petitioner, mistakenly, filed his habeas corpus petition under 28 USC section 2241 outside of the district of confinement and the district court for the Eastern District of Pennsylvania assumed jurisdiction over such petition and dismissed it with prejudice. The Third Circuit Court Of Appeals affirmed the District Court's exercise of assumed jurisdiction despite the fact that such petition was not filed in the district of confinement as required. The question is:

Whether the Third Circuit Court of Appeals erred in not correcting the District Court's exercise of assumed jurisdiction over an original Habeas Corpus petition that was mistakenly filed in the wrong jurisdiction, and Whether the District Court may properly exercise jurisdiction over a Habeas Corpus petition that was not filed in the District of confinement consistent with the "immediate custodian" requirement?"

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

WARDEN USP CANAAN, .

RELATED CASES

1. United States v. Khalil Smith-No.1833552
2. United States v Robert Hartley-Nos.18-3733 and 18-3734
3. United States v Terrance Munden No. 1933753
4. United States v. Levern Jackson-No. 18-3735

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TABLE OF AUTHORITIES CITED

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OTHER

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

- reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

- reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

- reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

- reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

For cases from federal courts:

The date on which the United States Court of Appeals decided my case was 8/6/25 & 9/17/25.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: 9/9/25, and a copy of the order denying rehearing appears at Appendix c.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from state courts:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

28 USC section 1631

28 USC section 2241

28 USC section 2244

28 USC section 2255

JURISDICTIONAL STATEMENT

The United States District Court for the Eastern District of

Pennsylvania assumed jurisdiction pursuant to 28 USC section 2241. That Court entered its order on April 3, 2025 denying and dismissing petitioner's section 2241 petition with prejudice. The Court of Appeals for the Third Circuit had jurisdiction pursuant to 28 USC section 1291. That Court entered its opinion on August 6, 2025 and its formal mandate on September 17, 2025 affirming the District Court's denial and dismissal with prejudice petitioner's section 2241 petition. It then entered its judgment on September 9, 2025 denying petitioner's petition for rehearing. This petition is timely filed within ninety days after the judgment issued. See Sup.Ct.R. 13(1). The jurisdiction of this Court is invoked pursuant to 28 USC section 2241, 28 USC section 1254, and 28 USC section 1651.

STATEMENT OF THE CASE

In April of 2015, petitioner was indicted by a grand jury in the Eastern District of Pennsylvania on a seventeen-count indictment with, allegedly, violating 18 USC section 1951, 2119, 924(c) and 2.

On May 26, 2016, a superseding indictment was returned-thirty counts -adding additional defendants, allegedly, violating 18 USC section 1951, 18 USC section 1201(a)(1), 18 USC section 2119, 924 (c) and 2.

On December 19, 2018, prior to being sentenced to life plus 180 years in prison, petitioner filed a "Motion to vacate judgment of conviction and to dismiss for want of jurisdiction as the trial court was automatically divested of jurisdiction upon the filing of notice of appeal."

On or about March or April 2024, petitioner filed another Habeas Corpus petition pursuant to 28 USC section 2241 challenging the Department of Justice via Bureau of Prisons claimed right to continue its custody of him pursuant to a judgment of commitment that was entered by a court that was divested of jurisdiction over the criminal trial. But he filed it, mistakenly, in the wrong district, that is, the Eastern District of Pennsylvania, because his district of confinement is in the Middle district of Pennsylvania.

On May 13, 2024, the district court entered an order stating that the type of claim that petitioner brought may be brought under 28 USC section 2255(a). Then on May 16, 2024 it entered the same order. Thus precluding petitioner from pursuing his claim directly under 28 USC section 2241. In these orders, the Court ordered petitioner to file a section 2255 motion within 30 days, and stated that if he did not do so, his case may be dismissed. Petitioner did not file a section 2255 motion and instead filed a notice of appeal.

On appeal, the Third Circuit Court of Appeals summarily affirmed that Court's decision. Then, a year later, the district court effectively denied petitioner's section 2241 and dismissed it with prejudice on April 3, 2025. App. x B.

Then on June 17th, 2025, the district court entered an order denying a section 2255 motion, which petitioner never filed, reaching the merits of such alleged motion stating that "given that the record in this case clearly shows Defendant is not entitled to relief, there is no need for a hearing..." See Appix D.

On Appeal, the Third Circuit Court of Appeals, in a NOT PRECEDENTIAL OPINION affirmed the denial and dismissal with prejudice of petitioner's section 2241 Habeas Corpus. See Appix A.

Petitioner then petitioned the Third Circuit Court of Appeals for Rehearing, which it entered an order of denial dated September 9, 2025 and its formal mandate on September 17, 2017. App.x C

REASONS TO GRANT THE WRIT

This case represents an issue of national importance involving the jurisdiction of federal District Court's in the context of original Habeas Corpus-"within their respective districts." It is necessary and proper to clarify Congress's genuine intent in such statutory phrase. This Court should grant this writ because the decision below runs afoul of such statutory text, and this Court's precedent. See Supt. Ct.R.10(c). In addition, such decision below is in stark contrast to the lower court's own precedent and gives the appearance that such courts are not required to follow such statutory text, nor this Court's precedent or it's own precedent.

I. The District Court did not have jurisdiction to dismiss petitioner's habeas corpus under 28 USC section 2241.

Section 2241(a) provides " Writs of Habeas Corpus may be granted by the Supreme Court, any justice thereof, the district courts and any circuit judge within their respective jurisdictions..."

This Court in *Rumsfield v Padillo*, 542 US 426, 427 (2004) said that "...the plain language of the habeas corpus statute thus confirms the general rule that for core habeas petitions challenging present physical confinement, jurisdiction lies only in one district, the district of confinement..." (quoting *Monk v Secretary of Navy*, 793 F.2d 364, 369 (D.C. Cir. 1986)) ("for purposes of federal habeas corpus statute, jurisdiction is proper only in the district in which the immediate, not the ultimate, custodian is located"). See also *Wales v Whitney*, 114 US 564, 574 (1885) (" These provisions contemplate a proceeding against some person who has the immediate custody of the party detained, with the power to produce the body of such party before the court or judge, that he may be liberated if no sufficient reason is shown to the contrary"). And "the proviso that a district court may issue the writ only "within their respective jurisdictions" forms an important corollary to the immediate custodian rule in challenges to present physical custody under section 2241... whenever a section 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement..." *YAO Gamado v Chertoff*, 2017 US Dist. Lexis 69268(3d cir)(quoting *Rumsfield v Padillo*, supra).

Here, petitioner named his warden, but did not file it in the District of confinement, that is, the Middle district of Pennsylvania. He mistakenly filed it in the Eastern District of Pennsylvania. There, instead of that district court transferring it to the proper district of confinement in accordance to 28 USC section 1631, it initially ruled that petitioner could not bring his claim under section 2241 and ordered petitioner to file his claim under section 2255. However, petitioner did not file a section 2255 motion, but appealed to the Third Circuit Court of Appeals, which denied his appeal. See App.x Then after the denial of such appeal, the district court, alleged, that petitioner filed his claim under section 2255, which it denied and the Third Circuit court of Appeals denied. It also denied his petition under section 2241 with prejudice after ruling that he could not bring such a claim under section 2241. Thus, effectively preventing him from re-filing in the proper district of confinement and preventing such district of confinement from entertaining such re-filing. See 28 USC section 2244-"finality of determination." See APP.X ←

Interestingly, that court turned his section 2241 petition into a section 2255 motion and then reached the merits of such, alleged, motion by stating that: "... Given that the record in this case clearly shows Defendant is not entitled to relief there is no need for a hearing..." But when petitioner filed his actual motion to vacate judgment of conviction on the ground that such court was divested of jurisdiction because he had a pending appeal in the Third Circuit Court of Appeals, at sentencing 7 years ago, it refused to enter any ruling so that he could appeal that ruling to the Third Circuit Court of Appeals (emphasis).

Such refusal to enter any order on such motion to vacate judgment ~~of conviction has prevented petitioner from appealing such issue~~ to the Third Circuit Court of Appeals and that court from exercising proper jurisdiction on such issue pursuant to 28 USC section 1291. Despite the fact that petitioner filed such motion to vacate, as a matter of first instance, at sentencing, that court has refused to issue any decision on the actual motion to vacate that petitioner filed seven years ago, but has assumed jurisdiction over a petition that was mistakenly filed in its district; the immediate custodian is not in its jurisdiction nor is the district of confinement in its jurisdiction that would allow it to exercise proper jurisdiction in accordance with this Courts precedent and the Third Circuits precedent.

The District court's exercise of jurisdiction over such petition is null and void, and the Third Circuit Court of Appeals failure to correct such jurisdictional defect runs afoul of this court's precedent. Such ruling is not entitled to full faith and credit. See Baker by Thomas v Gen.Motors Corp, 522 US 222,232,233 (1998) (recognizing lack of jurisdiction as basis to deny full faith & credit). In addition, this Court has consistently stated that if the lower courts did not have jurisdiction then it has no jurisdiction to reach the merits of the issues that are presented for certiorari review and it can only decide that the lower court erred in hearing the case. See Treinius v Sinshine Mining Co, 308 US 66, 70 (1940).

Petitioner prays that this Honorable Court grants this petition because without this Court's exercise of its supervisor powers petitioner is without any means to have this error corrected.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

a.k.a. Mark Woods

Date: *11-30-25*