

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

TOMMIE PERRIS CRAWFORD,

Petitioner,

v.

CASE NO. 11-3021-RDR

UNITED STATES,

Respondent.

O R D E R

This matter comes before the court on pro se pleading titled as "HABEAS CORPUS," submitted by a prisoner currently confined in the United States Penitentiary in Leavenworth, Kansas. Citing an indemnity bond he tendered to the Eighth Circuit Court of Appeals to offset the debt on his criminal conviction in the District of Minnesota, CASE NO. 05-CR-294-JRT-AJB, and stating said bond was accepted, petitioner moves in this court for an Order of Release from his involuntary confinement.

Also before the court is petitioner's one paragraph motion for summary judgment, citing the same bond tendered "to set off such amount owing on account of CASE NO. 0.05-CR-294-JRT-AJB." In subsequent correspondence to this court, petitioner again cites the bond tendered for payment into the court to satisfy his criminal judgment, and requests deposit of the bond in the United States Treasury and the issuance of a "Certificate of [Petitioner's] Release."

This court has previously rejected as frivolous petitioner's attempts to seek comparable relief under 28 U.S.C. § 2241 on the

basis of the very same indemnity bond. See *Crawford v. United States Bureau of Prisons, et al*, Case No. 10-3108-RDR and *Crawford v. United States*, Case No. 09-3078-RDR. The court thus finds the instant petition is subject to being summarily dismissed as frivolous, successive, and abusive.

Accordingly, to the extent this court has jurisdiction under § 2241 to consider a challenge to the execution of petitioner's federal sentence, the court grants petitioner provisional leave to proceed in forma pauperis, and dismisses the petition. The court further certifies that any appeal from this order would be frivolous and not taken in good faith.

IT IS THEREFORE ORDERED that petitioner is granted provisional leave to proceed in forma pauperis, that the petition seeking habeas corpus relief in this court is dismissed, and that petitioner's motion for summary judgment (Doc. 3) is denied as moot.

DATED: This 15th day of June 2011, at Topeka, Kansas.

s/ Richard D. Rogers
RICHARD D. ROGERS
United States District Judge