FILED
U.S. District Court
District of Kansas
10/22/2026
Clerk, U.S. District Court
By: KGS Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

TANH HUU LAM,

Petitioner,

v.

C. CARTER, Warden, FCI-Leavenworth,

Respondent.

Case No. 26-3307-JWL

MEMORANDUM AND ORDER

In this habeas action under 28 U.S.C. § 2241, the Court dismissed the petition for lack of jurisdiction, ruling that petitioner's claims, by which he attacks the validity of his federal conviction, could only be asserted in a motion in his sentencing court (the Eastern District of California) under 28 U.S.C. § 2255; and that the claims were not permitted by the savings clause of Section 2255(e) because they could have been asserted in his original Section 2255 motion.

Petitioner has now filed a motion for reconsideration of that dismissal (Doc. # 5). Petitioner has not addressed the Court's specific reasoning, other than seemingly to suggest that his sentencing court engaged in misconduct in ruling on his original Section 2255 motion. Petitioner's recourse, however, was to appeal that denial to the Ninth Circuit; and both his sentencing court and the Ninth Circuit have rejected numerous requests that he be allowed to file a successive Section 2255 motion. Accordingly, because petitioner has not

shown that the savings clause would allow the assertion of these claims in this Court, the Court **denies** the motion for reconsideration.

IT IS THEREFORE ORDERED BY THE COURT THAT petitioner's motion for reconsideration (Doc. # 5) is hereby **denied**.

IT IS SO ORDERED.

Dated this 22nd day of October, 2026, in Kansas City, Kansas.

/s/ John W. Lungstrum
Hon. John W. Lungstrum
United States District Judge