

MAR 24 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WILSON THOMAS,

Petitioner - Appellant,

v.

CHARLES A. DANIELS,

Respondent - Appellee.

No. 07-35640

D.C. No. CV-07-00282-OMP

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Owen M. Panner, District Judge, Presiding

Submitted March 18, 2009**

Before: LEAVY, HAWKINS, and TASHIMA, Circuit Judges.

Federal prisoner Wilson Thomas appeals pro se from the district court's judgment dismissing his petition for writ of habeas corpus under 28 U.S.C. § 2241,

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

and from the district court's order denying his motion to reconsider. We have jurisdiction under 28 U.S.C. §§ 1291 and 2253, and we affirm.

Thomas contends that, although the district court denied his petition on res judicata grounds, he is entitled to relief in light of *House v. Bell*, 547 U.S. 518 (2006). This contention is without merit.

AFFIRMED.