

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-2718

Willie W. Bradshaw,

Appellant,

v.

Bill Hedrick,

Appellee.

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Appeal from the United States
District Court for the Western
District of Missouri.

[UNPUBLISHED]

Submitted: December 6, 2004

Filed: December 9, 2004

Before MORRIS SHEPPARD ARNOLD, MURPHY, and SMITH, Circuit Judges.

PER CURIAM.

Federal inmate Willie Bradshaw appeals from the final judgment entered in the District Court for the Western District of Missouri dismissing without prejudice his 28 U.S.C. § 2241 petition and denying his motion to proceed in forma pauperis. In his habeas petition, Mr. Bradshaw argued that the United States Parole Commission (the Commission) erred in determining his reparole by not crediting him for time served on a previous sentence. We grant Mr. Bradshaw in forma pauperis status, and, for the reasons discussed below, we affirm the dismissal of Mr. Bradshaw's section 2241 petition.

Federal courts lack jurisdiction to review substantive decisions of the Commission. See Jones v. United States Bureau of Prisons, 903 F.2d 1178, 1183 (8th Cir. 1990). The Commission's determination regarding Mr. Bradshaw's reparole was substantive, see Wajda v. United States, 64 F.3d 385, 388 (8th Cir. 1995) (determination regarding term of imprisonment within the reparole guideline range is substantive and unreviewable), and thus we conclude that the district court lacked jurisdiction over Mr. Bradshaw's habeas petition.

Accordingly, we affirm. See Miller v. Benson, 51 F.3d 166, 170 (8th Cir. 1995) (appeals court may affirm on any ground supported by record).
