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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TROY TERRELL COLEMAN,

Petitioner - Appellant,

v.

LINDA SANDERS,

Respondent - Appellee.

No. 10-55164

D.C. No. 2:08-cv-06447-GW

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
George H. Wu, District Judge, Presiding

Submitted July 12, 2011**

Before: SCHROEDER, ALARCÓN, and LEAVY, Circuit Judges.

Federal prisoner Troy Terrell Coleman appeals pro se from the district court's judgment denying his 28 U.S.C. § 2241 habeas petition challenging the execution of his sentence. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

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

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

Coleman contends that his federal sentence should have commenced on the date he was sentenced in the Northern District of Oklahoma for retaliating against a government witness, rather than on completion of his state term of imprisonment in California. This contention lacks merit. The district court correctly determined that, at the time Coleman was sentenced in the Northern District of Oklahoma, California had primary custody over him that remained uninterrupted until the state released him on parole. Accordingly, the Bureau of Prisons properly calculated Coleman's sentence as beginning when California released him on parole. *See* 18 U.S.C. § 3585(a); *see also Taylor v. Reno*, 164 F.3d 440, 445 (9th Cir. 1998).

Coleman also contends that his federal sentences should run concurrently, and not consecutively. This contention also lacks merit. The Bureau of Prisons properly calculated Coleman's total term of imprisonment by running his federal sentences consecutive to each other, because Coleman was sentenced in two separate federal cases at different times. *See* 18 U.S.C. § 3584(a).

AFFIRMED.