

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

JOHN BARNETT,)	
Plaintiff,)	
)	
v.)	11-CV-3326
)	
SANDRA GOINGS et al.,)	
Defendants.)	
)	

OPINION

SUE E. MYERSCOUGH, U.S. District Judge:

On September 16, 2011, this Court conducted a merit review of Plaintiff's complaint and dismissed the complaint without prejudice. The Court concluded that Plaintiff's challenge to Defendants' alleged refusal to find him a host site to enable his release on parole is a claim that can only be pursued in federal court as a habeas corpus action, after exhaustion of state court remedies. The Court also concluded that Plaintiff's allegation that he was denied a prison job because of his sexual offense did not state a claim based on the limited information provided. However, the Court gave Plaintiff an opportunity to file an amended

complaint giving more detail about this claim, and also advised Plaintiff that he must exhaust his administrative remedies on this claim before filing the claim in court.

Plaintiff was given until October 7, 2011, to file an amended complaint on the jobs claim. Plaintiff did not file an amended complaint, but he did file a motion for the appointment of counsel. The Court does not reach the merits of the motion because, on this record, Plaintiff states no federal claim that counsel might pursue. Nor is there any indication that Plaintiff might be able to state a claim with the help of counsel.

IT IS THEREFORE ORDERED:

1. Plaintiff's motion for counsel is denied (d/e 9).

2. This case is dismissed without prejudice, pursuant to the Court's order dated September 16, 2011. This case is closed.

ENTERED: October 20, 2011

FOR THE COURT:

s/Sue E. Myerscough
SUE E. MYERSCOUGH
UNITED STATES DISTRICT JUDGE