

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

TAVARES R. SMITH,

PETITIONER

v.

3:12-cv-00036-JMM-JJV

MIKE ALLEN, Sheriff,
Crittenden County Detention Facility

RESPONDENT

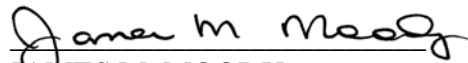
ORDER

On February 3, 2012, Mr. Smith filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 seeking habeas relief from his charges and pre-trial detention. (Doc. No. 2 at 2.) On review of these claims, the Court finds that summary dismissal is appropriate. Given that Mr. Smith's trial is currently pending in State court, this Court must abstain from considering the instant claims pursuant to *Younger v. Harris*, 401 U.S. 37 (1971). Mr. Smith has not alleged facts sufficient to trigger the extraordinary-circumstances exception to the *Younger* doctrine. Because it is clear from the face of the Petition that Mr. Smith is not presently entitled to habeas relief, his habeas claims are hereby DISMISSED without prejudice. (*See* Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.)

IT IS, THEREFORE, ORDERED that:

1. Mr. Smith's § 2241 Petition for Writ of Habeas Corpus (Doc. No. 2) is DISMISSED without prejudice.

SO ORDERED this 23rd day of February, 2012.


JAMES M. MOODY
UNITED STATES DISTRICT JUDGE