Abram v. Allen et al Doc. 12

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

STACY S. ABRAM, IV

PETITIONER

v.

No. 3:13-cy-212-DPM

MIKE ALLEN, Sheriff, Crittenden County, Arkansas; STATE OF ARKANSAS; and RAY HOBBS, Director, Arkansas Department of Correction

RESPONDENTS

JUDGMENT

Abram's petition for a writ of habeas corpus is dismissed with prejudice. His emergency petition is dismissed with prejudice on the nojurisdiction and voluntariness points, see № 11, and otherwise dismissed without prejudice. A certificate of appealability will issue on the jurisdictional defect. The point is novel. If the Court is mistaken about the limitation bar, then Abram has made a substantial showing that his constitutional rights were violated when the circuit court sentenced him in February 2012, and in the related revocation proceedings in 2013 and 2014. 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 336-37 (2003).

D.P. Marshall Jr.

United States District Judge

19 June 2014