

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

MELVIN M. BROWN

PETITIONER

v.

5:13CV00207-KGB-JJV

RAY HOBBS, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

Before the Court is Petitioner's Motion for Stay and Abeyance (Doc. No. 3). Petitioner requests the stay and abeyance of his federal habeas while he seeks to perfect his appeal from the state circuit court's order denying his petition for post-conviction relief pursuant to Ark. R. Crim. P. 37.

Petitioner cannot meet the "good cause" standard set forth in *Rhines v. Weber*, 544 U.S. 269 (2005) to justify granting a stay of these federal proceedings in order for him to return to state court to perfect his appeal. Accordingly, his Motion (Doc. No. 3) is DENIED.

IT IS SO ORDERED this 6th day of September, 2013.



JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE