



1 properly filed habeas petition brought pursuant to 28 U.S.C. § 2254.” (ECF No. 25 at 1.) In other  
2 words, petitioner must wait until the state court resolves petitioner’s sentence and the sentence  
3 becomes final before petitioner can seek habeas relief in federal court. At that time, petitioner  
4 must file a new petition for writ of habeas corpus in this court.

5 It appears that petitioner now believes his pending appeal has been denied. However,  
6 petitioner was previously advised that once his conviction is final, he must file a new petition for  
7 writ of habeas corpus in federal court. This means he must file a new case. Petitioner is not  
8 allowed to re-open this case. This case is closed and remains closed.

9 Accordingly, IT IS HEREBY ORDERED that:

10 1. Petitioner’s request to reopen this case (ECF No. 28) is denied. If petitioner wishes to  
11 challenge his conviction through a petition for writ of habeas corpus, he must file a new case.

12 2. The Clerk of the Court is directed to send petitioner the form for filing a petition for  
13 writ of habeas corpus, along with an application to proceed in forma pauperis.

14 3. Petitioner shall file no further filings in this closed case. Any additional documents  
15 filed by petitioner will be disregarded and no orders will issue in response to future filings.

16 Dated: June 21, 2017

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19 KENDALL J. NEWMAN  
20 UNITED STATES MAGISTRATE JUDGE

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