

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAKEENAN G. WILKINS a/k/a
NERRAH BROWN,

Petitioner,

v.

GREGORY J. AHERN, Sheriff,

Respondent.

No. C 12-543 SI (pr)

**ORDER DENYING SECOND
REQUEST FOR RECONSIDERATION**

On June 4, 2012, the court determined that *Younger* abstention applied and dismissed petitioner's pretrial habeas petition. Both this court and the Ninth Circuit denied petitioner's request for a certificate of appealability. This court also denied a request for reconsideration.

Petitioner has filed a second request for reconsideration of the dismissal order. He indicates that he now has been convicted and received a sentence enhanced by prior convictions. That change in circumstances does not warrant reconsideration of the decision to dismiss the pretrial habeas petition on abstention grounds. Petitioner may file a new action for writ of habeas corpus to challenge his conviction and sentence, but only after he exhausts state court remedies as to his federal constitutional claims. The second request for reconsideration is DENIED. (Docket # 30.)

IT IS SO ORDERED.

DATED: May 16, 2013



SUSAN ILLSTON
United States District Judge