

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

JAMES LEE BALLARD,

Petitioner,

v.

Case No. 1:22-cv-106-AW-HTC

STATE OF FLORIDA,

Respondent.

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ORDER ADOPTING REPORT AND RECOMMENDATION

James Lee Ballard is Florida a pretrial detainee. As he awaits trial on several sex-offense charges, he continues to bombard this court with frivolous filings. He has sued judges, his public defenders, prosecutors, law enforcement officers, and others.

In this case, Ballard seeks habeas relief. But as the magistrate judge concludes, Ballard has not shown that he has exhausted state-court remedies. I therefore adopt the June 6, 2022 report and recommendation to the extent it addresses exhaustion, and I need not address the alternative *Younger* abstention issue. I reject all of Ballard's objections, which I have considered de novo.

The IFP motion (ECF No. 6) is GRANTED. The clerk will enter a judgment that says, "The § 2241 petition is dismissed for lack of exhaustion." A certificate of appealability is DENIED. The clerk will close the file.

SO ORDERED on September 19, 2022.

s/ Allen Winsor
United States District Judge