

SEP 3 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAMES N. HATTEN, Clerk
James N. Hatten
Deputy Clerk

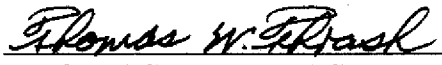
WILLIAM SYLVESTER : PRISONER HABEAS CORPUS
RADCLIFFE, : 28 U.S.C. § 2254
Inmate # 1146945, :
Petitioner, : CIVIL ACTION NO.
 : 1:07-CV-1731-TWT
v. :
 :
TIMOTHY WARD, Warden, :
Respondent. :

ORDER AND OPINION

Petitioner, William Sylvester Radcliffe, an inmate at the Rogers State Prison in Reidsville, Georgia, seeks via 28 U.S.C. § 2254 to challenge the constitutionality of his October 31, 2005, convictions in the Douglas County Superior Court for possession with the intent to distribute cocaine, selling cocaine, and using a cell phone to facilitate the sale of cocaine. Presently before the Court for consideration is a letter which the Clerk has construed as a motion to voluntarily withdraw the petition without prejudice [Doc. 10] filed by Petitioner. In his motion, Petitioner seeks to dismiss his habeas corpus petition so that he may present his claims in a state habeas corpus petition. Accordingly, Petitioner's motion to dismiss [Doc. 10]

is hereby **GRANTED** and Petitioner's petition for habeas corpus is hereby
DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED, this 3 day of August, 2008.



THOMAS W. THRASH, JR.
UNITED STATES DISTRICT JUDGE