

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

ISNEL RIGAUD  
also known as  
Chrisnel Rigaud,

Petitioner,

v.

STATE OF GEORGIA,

Respondent.

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CIVIL ACTION FILE  
NO. 1:17-CV-134-TWT

**ORDER**

This is a pro se action seeking to set aside a state court conviction. It is before the Court on the Report and Recommendation [Doc. 3] of the Magistrate Judge recommending closing the case administratively. The Court approves and adopts the Report and Recommendation as the judgment of the Court. It is clear that if the Court construes the Petitioner's pleadings as a habeas corpus action that it will have to be dismissed for failure to exhaust state remedies and the Petitioner cannot thereafter seek federal relief. This action is **DISMISSED** without prejudice.

SO ORDERED, this 24 day of January, 2017.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge