

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

MAURICE LAGRONE,)	
)	
Petitioner,)	
)	
v.)	Case No. 10-cv-1316
)	
GUY PIERCE, <i>Warden</i> ,)	
)	
Respondent.)	
)	

OPINION & ORDER

This matter is before the Court on Respondent’s Motion to Dismiss (Doc. 9). On October 13, 2010, Petitioner Maurice Lagrone filed a Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (Doc. 1). According to Respondent, at least one of the claims raised by Petitioner in his Petition remains pending before the Illinois state courts as part of Petitioner’s state post-conviction relief proceedings. (Doc. 9 at 4). Therefore, Respondent has asked that the Court dismiss Petitioner’s Petition without prejudice, until the time he has exhausted all of his state court remedies. (Doc. 9 at 11).

Petitioner does not dispute Respondent’s allegations. (Doc. 10). Instead, he asks that the Court grant Respondent’s Motion and dismiss his Petition without prejudice. (Doc. 10 at 1). Accordingly, the Court GRANTS Respondent’s Motion to Dismiss (Doc. 9), and Petitioner’s Petition is DISMISSED WITHOUT PREJUDICE. Petitioner may re-file a § 2254 Petition upon the conclusion of his state post-conviction appeals. IT IS SO ORDERED.

CASE TERMINATED.

Entered this 7th day of April, 2011.

s/ Joe B. McDade

JOE BILLY McDADE
United States Senior District Judge