

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

PAUL IRVIN TAYLOR,)	
)	
Petitioner,)	
)	
v.)	CAUSE NO. 1:14-CV-291 RM
)	
SUPERINTENDENT,)	
)	
Defendant.)	

OPINION AND ORDER

Paul Irvin Taylor, a *pro se* prisoner, has filed a habeas corpus petition challenging his recent conviction for driving on a suspended license in the Steuben County Circuit Court under cause number 76C01-1303-CM-173. Mr. Taylor was sentenced on June 14, 2014, and is incarcerated at the Steuben County Jail. Mr. Taylor says he hasn't presented any of his claims for review in the state courts before filing this petition.

Before a petitioner can challenge a state proceeding, he must have previously presented his claims to the state courts. "This means that the petitioner must raise the issue at each and every level in the state court system, including levels at which review is discretionary rather than mandatory." Lewis v. Sternes, 390 F.3d 1019, 1025-1026 (7th Cir. 2004). Based on his petition, it is clear that Mr. Taylor hasn't done this. Mr. Taylor explains that he hasn't exhausted because the claims raised in his habeas petition are federal claims, not state claims. Simply put, Mr. Taylor believes that he can bring his federal claims directly to federal court, but the requirement that a petitioner first present his claims to the

state courts applies to federal claims. Richardson v. Lemke, 745 F.3d 258, 268-69 (7th Cir. 2014). Because Mr. Taylor hasn't presented his claims to the state courts, this court can't grant him habeas corpus relief. 28 U.S.C. 2254(b)(1)(A). Therefore, the petition will be dismissed, but the dismissal will be without prejudice to his right to pursue federal habeas relief once he exhausts all available state court remedies.

For the foregoing reasons, this petition is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

ENTERED: September 25, 2014

/s/ Robert L. Miller, Jr.
Judge
United States District Court