

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ERVIN R. HALL,

Petitioner,

v.

SUPERINTENDENT,

Respondent.

Case No. 3:17-CV-425-JD-MGG

OPINION AND ORDER

Ervin R. Hall, a prisoner without a lawyer, filed a habeas corpus petition attempting to challenge the revocation of his parole by the Indiana Parole Board during a hearing on January 11, 2016. ECF 1 at 1. However, before a petitioner can challenge a State proceeding in a federal habeas corpus petition, 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). Thus, this court may only review Hall’s parole revocation if he has exhausted his State court remedies.

Here, Hall filed a writ of habeas corpus in the State trial court and appealed its denial to the Court of Appeals of Indiana. ECF 1 at 2. However, he did not file a petition to transfer to the Indiana Supreme Court. *Id.* Moreover, his time to do so has expired. Ind. R. App. P. 57(C) (“[a] Petition to Transfer shall be filed: (1) no later than thirty (30) days after the adverse decision if rehearing was not sought; or (2) if rehearing was sought, no later than thirty (30) days after the Court of Appeals’ disposition of the Petition for Rehearing”). The Court of Appeals of Indiana denied his habeas corpus appeal on February 18, 2016. ECF 1 at 2. Hall does not assert that he

