Thompson v. Gondolsky Doc. 11

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

MICHAEL BARRETT THOMPSON,

Petitioner,

v.

Civil Action No. 15-cv-14255

WARDEN JEFFREY GRONDOLSKY,

Respondent.

ORDER

April 14, 2016

TALWANI, D.J.

Before the Court is the petition for a writ of habeas corpus under 28 U.S.C. § 2241 filed by Michael Barrett Thompson. Thompson asserts that his confinement is in violation of the law because there is no substantial evidence that he would be a threat to the community if released. For the reasons stated below, the petition is denied without prejudice.

Habeas corpus is an extraordinary remedy that is generally available only in the absence of any other remedy. *See Stack v. Boyle*, 342 U.S. 1, 6 (1951). Here, the United States District Court for the District of Maine, which revoked Thompson's conditional release in 2006, is currently addressing Thompson's confinement. *See United States v. Thompson*, 06-MC-00030 (D. Me.). The court has appointed counsel for Thompson and has scheduled a conference for April 20, 2016. *See id.* (ECF No. 106).

In light of the proceeding pending in the District of Maine, resort to habeas corpus relief is unwarranted.

Accordingly, the petition for a writ of habeas corpus is <u>DENIED WITHOUT</u>

<u>PREJUDICE</u>. The Clerk shall dismiss this action.

SO ORDERED.

_/s/ Indira Talwani
Indira Talwani
United States District Judge