

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN TOPP,

Petitioner,

Case No. 08-cv-11748

v.

Honorable Patrick J. Duggan

SHERRY BURT,

Respondent.

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**JUDGMENT**

Petitioner John Jerome Topp is in the custody of the Michigan Department of Corrections under authority of an April 29, 2006 Genesee County Circuit Court Judgment of Sentence imposing a sentence of five to fifteen years. Petitioner's sentence was imposed following his plea of no contest to third-degree criminal sexual conduct on March 21, 2006. Petitioner seeks federal habeas relief pursuant to 28 U.S.C. § 2254, claiming that the trial court erroneously denied his motion to withdraw his plea. In an Opinion and Order entered on this date, the Court held that Petitioner is not entitled to relief.

Accordingly,

**IT IS ORDERED, ADJUDGED, AND DECREED**, that Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED WITH PREJUDICE**.

Date: March 28, 2011

s/PATRICK J. DUGGAN  
United States District Judge

Copies to:  
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Ionia, MI 48846

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3855 Cooper St.  
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AAG John S. Pallas