

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRY BAILEY,

Petitioner,

Civil Action No. 12-14741
HON. BERNARD A. FRIEDMAN

vs.

KENNETH ROMANOWSKI,

Respondent.

ORDER GRANTING PETITIONER'S MOTION TO DISMISS HABEAS PETITION

Petitioner Terry Bailey has filed a motion to voluntarily dismiss his pending petition for a writ of habeas corpus. Petitioner seeks an opportunity to return to the state courts to pursue additional challenges to his state criminal proceedings. The Court previously denied petitioner's motion to stay this proceeding so that he could exhaust additional claims in the state courts. The Court instructed petitioner that he could seek voluntary dismissal of this proceeding to exhaust additional claims if he preferred. The Court noted that approximately three months had elapsed on the one-year statute of limitations. Consequently, petitioner will have time to file another federal habeas petition after exhausting additional claims in state court.

Accordingly,

IT IS ORDERED that petitioner's motion to dismiss the petition for a writ of habeas corpus is granted without prejudice.

IT IS FURTHER ORDERED that in the event petitioner seeks federal habeas relief after exhausting his state court remedies, he must file a new habeas petition in federal court within the time remaining on the one-year period of limitations.

S/ Bernard A. Friedman_____

BERNARD A. FRIEDMAN

SENIOR UNITED STATES DISTRICT JUDGE

Dated: June 12, 2013
Detroit, Michigan