

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE HUDGENS,

Petitioner,

CASE NO. 12-15523

HONORABLE SEAN F. COX

v.

KENNETH ROMANOWSKI,

Respondent.

**OPINION AND ORDER GRANTING PETITIONER'S MOTION TO DISMISS, AND
DISMISSING WITHOUT PREJUDICE THE PETITION FOR A WRIT OF HABEAS
CORPUS [DKT. 9]**

Petitioner George Hudgens filed a motion to voluntarily dismiss his pending petition for a writ of habeas corpus on February 20, 2013. 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 noted that less than two months expired on the one-year statute of limitations. As a result, Petitioner will have time to file a federal habeas petition after exhausting additional claims in state court. Petitioner indicates in the current motion that he has elected to voluntarily dismiss this proceeding to exhaust additional claims.

Accordingly, it is ORDERED that Petitionerisabella8's motion to dismiss is GRANTED and the petition for a writ of habeas corpus is DISMISSED WITHOUT PREJUDICE. This order closes this case. Should Petitioner wish to seek federal habeas relief following the exhaustion of state court remedies, he must file a new habeas petition in federal court within the time remaining on the

one-year period of limitations.

IT IS SO ORDERED.

Dated: March 4, 2013

S/ Sean F. Cox
Sean F. Cox
U. S. District Court Judge

I hereby certify that on March 4, 2013, the foregoing document was served upon counsel of record by electronic means and upon George Hudgens by First Class Mail at the address below:

George Hudgens
501569
Macomb Correctional Facility
34625 26 Mile Road
New Haven, MI 48048

Dated: March 4, 2013

S/ J. McCoy
Case Manager