

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DEXTER D. BARBER,

Petitioner,

Case Number: 16-11835
Hon. Matthew F. Leitman

v.

JAMES E. CRAIG, et al.,

Respondent.

**ORDER DISMISSING PETITION WITHOUT PREJUDICE AND
DECLINING TO ISSUE A CERTIFICATE OF APPEALABILITY**

Petitioner Dexter Dean Barber (“Barber”) filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 (the “Petition”). (*See* ECF #1). The Petition failed to comply with Local Rule 5.1(a)(2) of the United States District Court for the Eastern District of Michigan because it was largely illegible. On June 6, 2016, the Court issued an Order to Correct Deficiency (Order) (ECF #6), directing Barber to file a legible copy of the Petition in compliance with Local Rule 5.1(a)(2) by no later than July 15, 2016. (*See* ECF #6). The Order cautioned that failure to correct with the deficiency would result in dismissal of the Petition without prejudice. (*See id.*). Barber has not corrected the deficiency in the time provided and the Petition will be dismissed without prejudice.

Therefore, **IT IS HEREBY ORDERED** that the Petition is dismissed without prejudice. Further, reasonable jurists would not debate the Court's disposition of this matter nor conclude that the issues deserve encouragement to proceed further. The Court therefore declines to grant a certificate of appealability under 28 U.S.C. § 2253(c)(2). *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

IT IS SO ORDERED.

/s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: August 2, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 2, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113