

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DONALD WILLIAMS, JR.

PETITIONER

v.

CAUSE NO. 1:15CV422-LG-FKB

UNKNOWN BRADLEY, Warden

RESPONDENT

**ORDER DENYING MOTION FOR PUNITIVE DAMAGES AND SETTING
DEADLINES FOR EXHAUSTION OF CLAIMS IN STATE COURT**

BEFORE THE COURT is the Motion for Punitive Damages [29] filed by the petitioner Donald Williams, Jr., on September 19, 2016. In an Order [26] entered on August 2, 2016, this Court held that Williams had failed to exhaust his claims in state court prior to filing his habeas petition. The Court stayed all action concerning Williams' habeas petition pending exhaustion of Williams' claims in state court. As a result, Williams' Motion for Punitive Damages must be denied.

The Court further finds that it should place time limits on Williams' "trip to state court and back." *See Rhines v. Weber*, 544 U.S. 269, 278 (2005). Williams must file a petition for post-conviction relief in state court within thirty days of the date of this order. Williams must also file a motion to lift the stay or a motion to dismiss his habeas petition within thirty days after exhausting his claims in state court. Failure to comply with these time limits will result in dismissal of Williams' habeas petition.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Motion for Punitive Damages [29] filed by the petitioner Donald Williams, Jr., is **DENIED** due to the stay imposed in this action on August 2, 2016.

IT IS, FURTHER, ORDERED AND ADJUDGED that Williams must file a petition for post-conviction relief in state court within thirty days of the date of this order. Williams must also file a motion to lift the stay or a motion to dismiss his habeas petition within thirty days after exhausting his claims in state court.

SO ORDERED AND ADJUDGED this the 20th day of September, 2016.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE