

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

ARTEZ UPCHURCH,)
)
Petitioner,)
)
v.) No. 2:16-CV-45 CEJ
)
JAMES HURLEY,)
)
Respondent,)

MEMORANDUM AND ORDER

This matter is before the Court on the petitioner's amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2245. In the petition, petitioner seeks to vacate two separate state court judgments, Missouri v. Upchurch, No. 1022-CR04963-01 (City of St. Louis), and Missouri v. Upchurch, No. 1222-CR04207-01 (City of St. Louis).

Rule 2(e) of the Rules Governing § 2254 Cases requires that a separate petition be filed for each judgment being challenged in a habeas corpus proceeding. 28 U.S.C. § 2254 Rule 2(e). Thus, petitioner may not challenge two judgments in a single petition. Before proceeding with this case, petitioner must file an amended habeas corpus petition challenging only one state court judgment. If petitioner wishes to challenge a second judgment, he must file a separate petition seeking a writ of habeas corpus with respect to that second judgment.

Accordingly,

IT IS HEREBY ORDERED that the Clerk is directed to send petitioner a § 2254 form for use in amending his petition.

IT IS FURTHER ORDERED that petitioner shall have until **December 7, 2016**, to return the amended petition to the Court.

IT IS FURTHER ORDERED that petitioner's failure to comply with this Order may result in dismissal of this action.

Dated this 16th day of November, 2016.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE