

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MICHAEL L. FOGLE,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:07CV204 JCH
	)	
ALAN BLAKE,	)	
	)	
Respondent.	)	

ORDER OF DISMISSAL

**IT IS HEREBY ORDERED** that Fogle's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** without prejudice.

**IT IS FURTHER ORDERED** that this Court will not issue a certificate of appealability.

Dated this 9th Day of February, 2007.

/s/ Jean C. Hamilton  
 JEAN C. HAMILTON  
 UNITED STATES DISTRICT JUDGE