

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

ARIZONA HALL,)	
)	
Petitioner,)	
)	
v.)	No. 4:13CV00178 DDN
)	
STATE OF MISSOURI,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on petitioner’s refusal to consent to the characterization of his letter to the Court as a petition for writ of habeas corpus under 28 U.S.C. § 2254. Petitioner is a state prisoner, and he states that the Court must grant him a writ of habeas corpus even though he will not petition for such a writ. The Court cannot grant a writ of habeas corpus *sua sponte*. Article III of the United States Constitution requires that the Court decide only “Cases” and “Controversies,” which means that parties must bring their petitions before the Court. As a result, the Court will dismiss the instant action without further proceedings. If petitioner wants to bring an action before this Court challenging his confinement, he must file a petition for writ of habeas corpus.

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED that all pending motions are **DENIED** as moot.

IT IS FURTHER ORDERED that the Clerk shall mail to plaintiff the forms for filing petitions for writ of habeas corpus under § 2254 and 2241.

An Order of Dismissal will be filed herewith.

So Ordered this 8th day of March, 2013.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE