Brown v. Russell Doc. 15

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DERAUGHN BROWN,	)	
Petitioner,	)	
v.	)	**No. 4:13-cv-01515-JAR**
TROY STEELE[1],	)	
Respondent.	)	

MEMORANDUM AND ORDER

This matter is before the Court on Petitioner Deraughn Brown's Motion to Quash Stay-And-Abeyance Procedure (Doc. 14). Petitioner requests that the Court quash his previously filed Motion entitled "Stay-And-Abeyance Procedure" in which Petitioner requested the Court stay the current proceedings to permit him to raise his unexhausted claims in state court (Doc. 13). Petitioner now asserts that it would be futile to raise his claims in state court. The Court construes Brown's Motion to Quash as a Motion to Withdraw his prior Motion.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's Motion to Quash Stay-And-Abeyance Procedure (Doc. 14) is **GRANTED.** Petitioner's Motion entitled, "Stay-And-Abeyance Procedure" (Doc. 13) is hereby withdrawn.

Dated this 6th day of May, 2015.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE

[1] Petitioner is currently incarcerated at Eastern Reception, Diagnostic and Correctional Center ("ERDCC") in Bonne Terre, Missouri. Troy Steele is the current Warden and proper party respondent. *See* 28 U.S.C. § 2254, Rule 2(a).

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