

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

CHAVIS MEEKS,)	
)	
Petitioner,)	
)	
v.)	No. 4:15-CV-16-AGF
)	
JAY CASSADY,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

Petitioner Chavis Meeks seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Having reviewed the petition, the Court will order petitioner to show cause as to why this action should not be dismissed for failure to exhaust available state remedies.

The Petition

Petitioner, an inmate at the Jefferson City Correctional Center, seeks release from confinement pursuant to 28 U.S.C. § 2254. Petitioner was sentenced on September 20, 2012, in the St. Louis City Circuit Court. Petitioner states that his appeal is currently pending with the Missouri Court of Appeals for the Eastern District.

Discussion

In the absence of exceptional circumstances, a state prisoner must exhaust currently available and adequate state remedies before invoking federal habeas corpus jurisdiction. Braden v. 30th Judicial Circuit Court of Kentucky, 410 U.S. 484 (1973). State remedies are ordinarily not considered exhausted if an individual may effectively present his claim to the state courts by any currently available and adequate procedure. By petitioner's own admission, he has available procedures that he must exhaust.

In accordance with the foregoing,

IT IS HEREBY ORDERED that no order to show cause shall issue at this time as to respondent.

IT IS FURTHER ORDERED that petitioner shall show cause within thirty (30) days of the date of this Order as to why the Court should not dismiss the instant application for failure to exhaust available state remedies. Petitioner's failure to file a show cause response shall result in the dismissal of this action, without prejudice.

Dated this 27th day of January, 2015.


UNITED STATES DISTRICT JUDGE