

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

MELVIN LEROY TYLER,)	
)	
Petitioner,)	
)	
v.)	No. 4:16-CV-1630 NAB
)	
STATE OF MISSOURI,)	
)	
Respondent,)	

MEMORANDUM AND ORDER

This matter is before the Court on petitioner’s “Notice of Criminal Case Removal.” Petitioner seeks to remove a closed case from the Missouri Court of Appeals, Eastern Division, to this Court. The Court lacks jurisdiction over the matter. See 28 U.S.C. § 1443; Postma v. First Fed. Sav. & Loan, 74 F.3d 160, 162 (8th Cir. 1996). Therefore, this action is dismissed. See Fed. R. Civ. P. 12(h)(3).

Accordingly,

IT IS HEREBY ORDERED that petitioner’s motion for leave to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

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

Dated this 25th day of October, 2016.



 RODNEY W. SIPPEL
 UNITED STATES DISTRICT JUDGE