

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

NOV 14 2017

Clerk, U.S. District Court
District Of Montana
Missoula

GEORGE WILLIAM CROOKS,

Cause No. CV 17-144-M-DLC-JCL

Petitioner,

vs.

ORDER

STATE OF MONTANA,

Respondent.

This case comes before the Court on Petitioner George William Crooks' application for writ of habeas corpus under 28 U.S.C. § 2254. Crooks is a state prisoner proceeding pro se.

On October 10, 2017, Magistrate Judge Jeremiah C. Lynch recommended Crooks' petition be dismissed for failure to exhaust state court remedies. (Doc. 6.) Crooks filed a timely objection. (Doc. 7.)

Crooks has now filed a motion to dismiss his pending petition. (Doc. 8.) It appears that Crooks may be seeking to attempt to exhaust his state remedies before proceeding further with a federal habeas action. Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides Crooks with an avenue for voluntary dismissal.

Accordingly, Crooks' Motion to Withdraw his petition (Doc. 8) is GRANTED. This matter is DISMISSED without prejudice pursuant to Fed. R.

Civ. P. 41(a)(1)(B).

DATED this 14th day of November, 2017.


Dana L. Christensen, Chief Judge
United States District Court