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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Ramon Dorado Muric,  
Petitioner  
v.  
Joseph Lombardo,  
Respondent

Case No.: 2:18-cv-00683-JAD-VCF

**Order Dismissing Case**

Pro se petitioner Ramon Dorado Muric is a pre-trial detainee at the Clark County Detention Center who petitions for a writ of habeas corpus<sup>1</sup> and applies to proceed *in forma pauperis*.<sup>2</sup> He is awaiting trial in the Eighth Judicial District Court in case no. C-17-323098-1, which is set to begin in January 2019.<sup>3</sup>

Federal courts should abstain from intervening in pending state criminal proceedings unless there are extraordinary circumstances of a great and immediate danger of irreparable harm.<sup>4</sup> A court “must abstain under *Younger* if four requirements are met: (1) a state-initiated proceeding is ongoing; (2) the proceeding implicates important state interests; (3) the federal plaintiff is not barred from litigating federal constitutional issues in the state proceeding; and (4) the federal court action would enjoin the proceeding or have the practical effect of doing so, i.e., would interfere with the state proceeding in a way that *Younger* disapproves.”<sup>5</sup>

<sup>1</sup> ECF No. 1-1.

<sup>2</sup> ECF No. 1.

<sup>3</sup> Eighth Judicial District Court Portal <https://www.clarkcountycourts.us/portal> (last visited June 22, 2018) (search by case number C-17-323098-1). It appears that Muric is known in the state-court system as Ramon Muril Dorado.

<sup>4</sup> *Younger v. Harris*, 401 U.S. 37, 45–46 (1971); see also *Ex Parte Royall*, 117 U.S. 241, 251 (1886)

<sup>5</sup> *San Jose Silicon Valley Chamber of Commerce Political Action Comm. v. City of San Jose*, 546 F.3d 1087, 1092 (9th Cir. 2008).

1 The *Younger* elements are all satisfied here. There is a state criminal trial pending  
2 against Muric, and the prosecution of crimes is an important state interest.<sup>6</sup> Muric may also raise  
3 his constitutional claims in the state courts by motion before the trial court, on appeal, or in a  
4 post-conviction habeas corpus petition (and it appears from the online docket and Muric's filings  
5 in this case that he is in fact litigating his constitutional claims in the state court). Finally, if this  
6 court granted Muric relief, it would terminate his state-court criminal action—a result that  
7 *Younger* disapproves of. I must therefore abstain from considering this habeas petition.

8 Accordingly, IT IS HEREBY ORDERED that the application to proceed *in forma*  
9 *pauperis* [ECF No. 1] is **GRANTED**. Muric need not pay the \$5.00 filing fee.

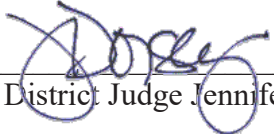
10 The **Clerk of Court** is directed to **DETACH and FILE** the petition for a writ of habeas  
11 corpus under 28 U.S.C. § 2254.

12 IT IS FURTHER ORDERED that this case is **DISMISSED** without prejudice to Muric's  
13 ability to litigate his claims in the appropriate forum at the appropriate time.

14 The **Clerk of Court** is directed to **ENTER JUDGMENT** accordingly and **CLOSE**  
15 **THIS CASE**.

16 And because reasonable jurists would not find my decision to abstain from considering  
17 this petition at this time to be debatable or wrong, I decline to issue a certificate of appealability.

18 Dated: June 25, 2018

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20 U.S. District Judge Jennifer A. Dorsey

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27 <sup>6</sup> See *Kelly v. Robinson*, 479 U.S. 36, 49 (1986); *Rose v. Mitchell*, 443 U.S. 545, 585 (1979);  
28 *Younger*, 401 U.S. at 43–44.